

HARRISON'S REPORTS

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No. 1

An Out-pouring of the Cesspools of Hollywood!

"A magician is told by the villain that his wife loved him (the villain) and that she was getting ready to run away with him. The magician grapples with the villain. The villain shoots and wounds him. As a result of the wound, his legs are paralyzed and he is crippled for life. The magician's wife disappears and the magician thinks that she had run away with the villain. A few years later his wife returns with a little daughter. But before she had a chance to talk to him she dies. He keeps the child. He vows to wreak vengeance on the villain. Years later he learns that the villain was a prosperous ivory trader in Kongo, Africa, and goes there. He overawes the natives with his fire eating and with other tricks; they think he is a god, and do his bidding. He has them steal as much of the villain's ivory as they can get hold of. All the while he lays plans of revenge. The child, which he had thought was the daughter of his wife and of the villain, grows to womanhood. As part of his revenge plan, the magician has the little girl reared in one of the worst dives in Zanzibar. Naturally she becomes syphilitic. As his revenge plans mature, he sends for the young woman. He then sends word to the villain to call on him so that he might tell him who the thief of his ivory was. There was a custom among the natives of Kongo to burn the wife, or the daughter, alive, when the husband, or the father, died. With the hope of seeing the young woman burned on a pyre as a part of the natives' religious custom, he issues an order to the natives to shoot and kill the supposed father of the girl immediately after the interview. The villain arrives and is surprised to recognize the old magician. The magician, pointing out to his supposed daughter, tells him what he had done to her. The villain bursts out laughing and tells the magician: "She is not my daughter! She is yours!" He tells the magician that his wife, after hearing what he (the villain) had done to him, refused to follow him. The magician's spirit is crushed when he finds out that the girl whose life he had wrecked as a part of his revenge plan is his own daughter. The villain leaves but soon a black messenger comes to the magician and tells him that he (the villain) had been shot in accordance with his orders. After the death of the villain, the natives call on the magician and demand that he deliver to them the daughter, so that they might carry out their religious ceremonies and then burn her on a pyre. The magician, by performing one of his old magic tricks, succeeds in helping the girl and a derelict doctor, who had learned to love her, escape through the swamps. But he pays the price with his life."

This piece of filth is the stage play "Kongo."

And it is upon this play that the Metro-Goldwyn-Mayer picture "West of Zanzibar" has been founded.

How any normal person could have thought that this horrible syphilitic play could have made an entertaining picture, even with Lon Chaney, who appears in gruesome and repulsive stories, is beyond comprehension. But here it is, a Metro-Goldwyn-Mayer picture, which you will be compelled to show to the people of the United States as an entertainment.

For your information let me say that "Kongo" was banned by Mr. Hays. But like other plays and books that he has banned, it has been put into a picture just the same; the Metro-Goldwyn-Mayer production heads, whose organization is a member of the Hays organization, did not think that Mr. Hays' interdiction against the play should prevent them from putting it into a picture, so long as it fitted their production plans. From what I have so far seen, no producer, member of the Hays organization, seems to pay any attention to Mr. Hays' excommunications of books or plays. The first one to disregard his order was Jesse L. Lasky himself, several years ago. Mr. Hays told Mr. Lasky that "West of the Water Tower" was not a book fit for the screen. But he put it into a picture, just the same. Since that time "Rain," in the form of "Sadie Thompson," "They Knew What They Wanted," in the form of "The Secret Hour," and other banned plays have been put into pictures, not forgetting "A Woman of Affairs," which is our old friend "The Green Hat," by Michael Arlen, under a new name. (To Metro-Goldwyn-Mayer belongs the credit for the making into a picture also of this book.)

If business is bad, don't attribute it to any business depression—people will, as a rule, deprive themselves of food rather than deprive themselves of entertainment; what makes it bad is the quality of the pictures. What mother will allow her young daughter to set foot into your theatre again after learning that she saw a picture of the "West of Zanzibar" type? In the issue of HARRISON'S REPORTS of November 24, in the article entitled, "Let the Moving Picture Be Dry," I told you of the experience an exhibitor had; he was told by a mother that she feared to allow her children to attend the performances at his theatre lest they learn how to drink by seeing how screen characters become intoxicated. What will that mother do if she should learn that her children have seen "West of Zanzibar"? And how about the millions of other mothers like her? Any wonder, then, that the picture theatres are starving for lack of patronage?

(Continued on last page)

"Give and Take" (PT)—with Jean Hersholt and George Sidney

(*Univ.*, Dec. 23; *synchr.*, 7,089 ft.; *Sil.* 6,552 ft.)

This is the second talking picture Universal has produced, and one can safely say that it is a vast improvement over the first, "Melody of Love." In fact it is as good a talking picture as any that has been made by Warner Bros., with the exception of "The Jazz Singer," "The Singing Fool," and "My Man." It is chiefly comedy, with Messrs. Hersholt and Sidney impersonating two Germans, lifelong friends. The voice of Mr. Hersholt registers very well. So does that of Mr. Sidney, as well as of every member in the cast. The recording is good except in a few scenes where it is manifest that the director had difficulty in placing the microphone opposite the talking player. In some of the situations the comedy is almost of the side-splitting variety. It is caused by the situations, by the subtitles and by the acting.

The story revolves around a manufacturer who is induced by his young son, just out of college, to install in his plant social democracy, whereby the workers would have a voice in the management of the factory and would receive a part of the profits; and around the love affair of the young son with the lifelong friend's daughter.

In the scenes that show Sam Hardy as an escaped lunatic, with George Sidney at one time, and Jean Hersholt, at another, in mortal fear of him, until George Lewis arrives and informs them that Sam Hardy is sane, the comedy is "fast and furious."

Sharon Lynn and Charles Hill Mailes also are in the cast. Basil Dickey is the author, and William Beaudine the director.

"Give and Take" is a good entertainment not only as a talking picture but also as a silent picture.

"The Shopworn Angel" (PT)—with Nancy Carroll and Gary Cooper

(*Par.*, Jan. 12; *Synchr.*, 7,373 ft; *Silent*; 7,112 ft.)

Not a bad story, so far as the story material goes, although its morality may be questioned by many of those that will pay their money to the box office to see it. The trouble with it, however, is that it is too slow; this is owed to the part of Mr. Cooper, who is depicted as a young man from Texas, unworlly-wise and innocent of the ways of Broadway. The part requires him to go through the picture quietly, as an innocent person. Because of this, the movement is slow and at times it becomes extremely tiresome. The part of Nancy Carroll is not very pleasant; she is presented as a chorus girl, who wears diamond bracelets that her small salary could not buy. In fact, it is shown plainly that she is supported by a wealthy man. The best part is the last thousand feet, where there is considerable human interest, and where the characters talk. The human interest is not aroused by the talking; it is in the story. But the talk happens in that part, and it helps considerably. It is caused by the fact that this hardened young woman, who at first befriended the hero in a facetious spirit, is shown as having fallen in love with him, and as having given up the luxuries her lover had been providing her with so as to be true to the hero. They marry before the hero embarks for the war front in France.

The scenes that show the heroine accepting a part in a chorus instead of being the leading woman as before, being willing to start from the bottom up again, and being sustained by her true love for the hero, are pathetic.

The story is by Dana Burnet. It has been directed by Richard Wallace. Paul Lukas and Roscoe Karns are in the cast.

"The River" (S)—with Charles Farrell and Mary Duncan

(*For \$2 Special*; *Rel. Date Not Set*; 7,814 ft.)

As a study for phrenologists, psychologists, psychoanalysts, and for others whose specialty is to analyze the human mind and to find the motives for man's actions, "The River" is a piece of art. But as an entertainment, it is a piece of junk. There is not a situation in it that appeals either to the emotions, intellect or sense of humor of the average picture-goer. What is actually shown is a sensual woman with a perverted mind, who thinks nothing else but of her sexual desires, and who, after causing her husband to commit a murder, meets the hero, and innocent country boy, but a caveman, and becomes infatuated with him. When he tells her one time that he will spend the evening with her because he wanted to have a good time but takes out the checker board to play with her, because that was the extent of his good time, she turns her face in disgust. How perverted the heroine is may be judged by the fact that she has two pet crows as companions to liven up her dull moments while her husband is away serving time in jail for the murder he had committed, evidently at her behest. One of the situations shows the heroine reclining on the couch and "inviting," with her actions, the hero; it is what in common parlance called "hot stuff." In one situation the heroine, whose mind worked peculiarly, is shown as trying to stab the hero with a knife. The whole picture is gruesome and leaves an extremely unpleasant feeling, even though the direction and acting are artistic.

The plot has been founded on the novel by Tristram Tupper. The picture has been directed by Frank Borzage. Others in that cast are Margaret Mann and Ivan Linow.

"The Gun Runner"—with Ricardo Cortez
(*Tiffany-Stahl*, Nov. 20; 5,516 ft.; 64 to 78 min.)

This is a picture that unfolds in a fictitious Latin-American Republic. Its quality is good, and its magnitude of the program grade. The interest of the spectator is held pretty alive throughout, and at times he is held in fairly tense suspense. Suspensive scenes are those that show the President of the Republic deciding to have the hero shot for having liberated the leader of the revolutionary forces after arresting him; the hero had done so because he had found out that the girl he loved was his, the revolutionist's, sister. The love affair between Nora Lane and Ricardo Cortez is done well. Mr. Cortez is rather a pleasant chap, because of his constant smile. Gino Corrado is good as the revolutionist, and John St. Polis as the President of the Republic.

The plot has been suggested by Arthur Stringer's novel of the same name. The direction is by Edgar Lewis.

**"West of Zanzibar" (S)—with
Lon Chaney**

(M-G-M, Nov. 24; Synchronized, 6,150 ft.)

A horrible picture, not only because of its theme, but also because of its background. Several shots are shown of alligators, spiders and of other poisonous insects, as well as poisonous bugs, for the purpose of representing realistically the swampy nature of the locale where the action is supposed to unfold, so as to convey the idea how impossible it was for the heroine to escape the horrible death that the main character was preparing for her as a part of his plan for revenge for the wrong her supposed father had done him. The theme is, as explained in the editorial, printed in this issue, a man's planning a horrible ending for the villain and his supposed daughter for wrongs he had done to him, and his finding out, after he had put part of that plan into execution, that the girl was not his enemy's daughter but his own. It is implied that he had put the girl into one of the worst dives in an African city, his object being to see the girl come out syphilitic. And she did.

The plot has been founded on the play "Kongo," by Chester Devonde and Kilbourn Gordon. The picture has been directed by Tod Browning. Others in the cast are, Lionel Barrymore, Warner Baxter, Mary Nolan, Jane Daly, Kalla Pasha, Roscoe Quard, and Curtis Nero.

**"The Awakening" (S)—with Vilma Banky
and Walter Bryon**

(U. A., Nov. release; Synchr., 8,081 ft.)

This picture is "spotty;" that is, it is good, in fact very good, in spots; on the other hand, in spots it is slow, and even poor. The first two reels or so are very pleasing. That part is a romance, showing the heroine and the hero becoming acquainted. In about the middle of the picture, the family picture-goer receives a shock, in that the hero, whose character he expected to be above reproach, is shown inviting the heroine to his room with sinister intentions. This makes him lose the sympathy of such spectator. Later on he reawakens sympathy, because he, instead of harming the heroine, realizing how innocent she was, he promises to marry her. The scenes of the heroine's sufferings are pathetic. The situations that show her as a nun in a monastery, caring for the wounded, particularly the scenes of the hero's meeting again with the heroine, whom he had thought dead, are deeply pathetic. The heroine's frantic efforts to save the life of the hero, who had been wounded dangerously, too, are pathetic. There is strong drama in those situations.

The plot has been founded on a story by Frances Marion. It deals with a young hero, a German officer, who, while his regiment is camping in Alsace, meets the heroine and becomes charmed with her beauty. Because he was a handsome man, all the young girls were "crazy" about him. The hero boasts that he will make the wild heroine fall in love with him. He succeeds. She falls so deeply in love with him that, when he is about ready to leave for the war front, he asks her to visit him in his room if she really cared for him. While in his room the hero tries to make her surrender to him, but a look into her eyes makes him realize how innocent she is and he desists. The town folk think that she had surrendered to him and paint her home

with pitch, a sign of disgrace. Feeling disgraced, the heroine goes away and becomes a nurse. But all think she's a suicide. During the world war the hero meets the heroine again. He is heart-broken to see her in a monastery ready to take the vows. The French army is attacking the town and nuns are ordered to evacuate the place. The hero, in seeking the heroine, is wounded, and the heroine stays behind to nurse him. The rich landowner, a Frenchman, who loved the heroine and hated the hero because of having, as he thought, disgraced her, finds the hero and decides to shoot and kill him when the unconscious heroine regains consciousness and begs him to spare his life. When he finds out how much the heroine loved the hero he not only spares his life but also puts him on a hay wagon and rushes him through the lines to the German side. He is shot by a sniper, and dies after delivering the hero to the Germans.

The picture has been directed by Victor Fleming well. Miss Banky does good work. Walter Byron, as the hero, does good work. He is a recent British importation and his handsome appearance should make him a screen idol. Louis Wolheim, George Davis, William A. Orlamond, and Carl von Hartman, are in the cast.

**"Blindfold"—with George O'Brien and
Lois Moran**

(Fox, Dec. 9; 5,598 ft.; 65 to 80 min.)

The first reel of this crook melodrama is not so pleasant; it shows a young man being shot in cold blood by crooks, who were robbing a jewelry store, because they feared that the young man, who had entered the store to inquire about the price of a jewel, which was displayed at the window, might give information to the police. Nor is the sight of the crooks robbing the store very edifying, particularly the use by the crooks of sticky plaster on the mouth of the victim, to prevent him from crying out aloud for help; it teaches the crooks how to use the sticky plaster in stick-ups. But as the story unfolds, one becomes interested in the fate of the characters and follows them with interest, hoping that the hero would be successful in detecting the murderers of the boy and in arresting them. The last two reels are suspensive in the extreme; they show the hero in the lair of the crooks, where he had found the heroine, who had weeks before lost her memory from the shock when the crooks had hit the hero on the head and made him unconscious, and who had disappeared. The sight of the hero's helping the heroine regain her memory and then holding up the crooks at the point of his gun until help arrive makes the spectator hold his breath.

The plot has been founded on the story by Charles Francis Coe. The picture has been directed by Charles Klein with skill. George O'Brien does excellent work; being the son of the chief of police of San Francisco, he knows how to handle the role of a policeman, which is his part in the picture. Lois Moran, too, does good work; but it would have been much better had the director refrained from making Miss Moran smoke; she is so young that one hates to see her do it, even though she may have pretended to smoke for the sake of the part. Others in the cast are; Earle Fox, Don Terry, Maria Alba, Fritz Feld, Andy Clyde, Crauford Kent, Robert E. Homans, and Phillip Smalley.

The stupidity of some of the producers seems to be unbounded. They know that ninety-five per cent of the people of the United States do not want such of the trash as they have been putting out. And yet they insist on putting it out. In no other industry do the manufacturers insist on producing an article that the consumers do not want. Only in the moving picture industry this thing happens.

If you run "West of Zanzibar," you will run it at the peril of alienating many of your regular customers. Demand that it be taken off your contract.

Of course, because of the arbitration system that is in force in this industry, which is controlled by the producers through the Hays organization, you may not be able to avoid either playing it, or at least paying for it, even though you may not play it; but as not many of you can afford to pay for a Lon Chaney picture and not play it because of the price you are charged for it, I suggest that, should the distributor refuse to eliminate it from your contract, you call on every minister, priest, and rabbi in your locality and lay the facts before him. Tell him that you do not want to run it, and ask him to lend you his moral support, so that you might be relieved of the obligation of playing it. Have him write either to the exchange or to the home office demanding that the picture be shown to a committee of clergymen before they force you to play it. You may enlist the aid also of the Parent Teachers' Association and of every women's organization in your city. I am sure that, if you were to take such steps, you will accomplish two things: first, you will prevent harm to your business; and, secondly, you will convince the good friends of the screen that you are not responsible for the trash you are often compelled to show. Incidentally, you may be able to accomplish also another object; you may enlist the support of all these good people for the Brookhart Bill. Only a Brookhart Bill, enacted into a law, can save you from being compelled to receive the out-pourings of the cesspools of Hollywood.

ABRAM F. MYERS

No doubt every one of you must have learned by this time that the Allied States, among which Minnesota, Michigan and Texas, have taken a prominent part in the leadership, have engaged Mr. Abram F. Myers, of the Federal Trade Commission, to become a leader of those States, and incidentally a leader of the movement for all independent exhibitors.

The Allied leaders could have searched the United States from end to end, but I doubt if they could have found a man better suited for the task. I watched him very closely when he presided over the Federal Trade Conference in the fall of 1927, and can say that he displayed tact, fairness and ability to an unusual degree.

In intelligence, Mr. Myers is the equal of any one connected with the motion picture industry, and the superior of hosts of them. One of the advantages he has, however, is that he knows the people of this industry and is fully aware how they work.

There has never been a time when a leader was needed by the independent exhibitors as much as one is needed now. Needless to say that you have had no organization since the Washington convention, where the ambitions and love for medals of one man wrecked your powerful organization, and with it your hopes. Since that "split," the producers

have used the Sultanic axiom of "Divide and Reign" with ingenuity. That is why you have never been able to form another organization, however much you needed one.

The new movement is destined to succeed, because it is sincere. The fact that the Allied leaders have delegated their power to an outside man is the best proof of their sincerity.

HARRISON'S REPORTS cannot affiliate directly with the new organization. Since the year 1922 it has been its policy to act independently, criticizing even exhibitor organizations and individual exhibitors, if they needed criticism, because in honest criticism lies progress. But I can say this, that whenever Mr. Myers needs the support of HARRISON'S REPORTS for the good of the cause, it will be ready to place itself by his side, fighting with him to the end. All he has to do is to give the word.

You have now as a leader a man who is every inch worthy of your support. Give him that support, not by words, but by deeds. If you fail to do it now, you might just as well sign the death warrant of your business. There are not many of you left. And there will be fewer, unless you stand back of Mr. Myers to a man.

LET PETE WOODHULL STICK TO HIS COMEDY

Our friend Pete Woodhull, president of M. P. T. O. A., which is now virtually a branch of the Hays organization, has issued a statement challenging the Allied leaders to tell him whether they will induct into their organization affiliated theatre owners or not, and making certain statements about Mr. Abram F. Myers, who has been engaged by the Allied States to lead their organization.

"This is not a test for supremacy as a 'Czar' of the independent theatre owners between Mr. Myers and myself," part of the statement says.

I don't know whether this statement has been edited by the Hays organization and by Arthur James, as was his telegram to Mr. Herriot, French Minister of Education, sent in an effort to offset the influence the telegram of Aaron Sapiro might exert. But here it is!

I have known Pete as a comedian. I have seen him address exhibitor meetings and throw the exhibitors into convulsions with jokes. And I have been present at private gatherings where Pete kept many of his hearers roaring from laughter with stories. For comedy is his specialty. This statement, however, is different in tone; it sounds serious. But he is out of place in serious things; he is just like a whale in shallow waters.

Can't some one tell Pete that this is a serious business, and that organization matters are serious matters with you so that he might keep to his comedy? It will be better all around.

ALL DRESSED UP AND NOWHERE TO GO!

Before investing any money in talking picture instruments, be sure that you will be able to get talking pictures. Two exhibitors in this city have installed independent instruments, but they are like those that are dressed up and nowhere to go; they have the talking picture instruments but not the talking pictures.

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Whip, The—First National	155
White Shadows in the South Seas—Metro-Goldwyn	126
Win That Girl—Fox	159
Wind, The—Metro-Goldwyn	179
Woman Disputed, The—United Artists	182
Woman from Moscow, The—Paramount	178
Wright Idea, The—First National	135

FIRST NATIONAL EXHIBITION VALUES

444 Harold Teen—Apr. 29	900,000B	900,000P
449 Lady Be Good—May 6	900,000B	
456 Vamping Venus—May 13	1,100,000B	
435 The Yellow Lily—May 20	1,100,000B	
442 The Hawk's Nest—May 27	950,000B	
467 The Upland Rider—June 3	700,000B	
460 Three Ring Marriage—June 10	800,000B	
438 Wheel of Chance—June 17	1,300,000B	
429 Happiness Ahead—June 24	1,300,000B	
466 Code of the Scarlet—July 1	700,000B	
539 Good-Bye Kiss (S)—July 8	Special	
454 The Head Man—July 15	1,100,000B	
458 Heart to Heart—July 22	800,000B	
513 Strange Case of Capt. Ramper—July 29	900,000B	
463 The Wright Idea—Aug. 5	800,000B	
427 Heart Trouble—Aug. 12	1,000,000B	
439 Out of the Ruins—Aug. 19	1,300,000B	
430 Oh Kay—Aug. 26	1,300,000B	

(1928-29 Season)

551 Butter and Egg Man—Sept. 2	Special
490 The Night Watch (S)—Sept. 9	1,100,000B
496 Waterfront (S)—Sept. 16	900,000B
502 Show Girl (S)—Sept. 23	1,000,000B
552 The Whip (S)—Sept. 30	Special
495 The Crash (Hard Rock)—Oct. 7	950,000B
507 Do Your Duty—Oct. 14	900,000B
538 Companinate Marriage—Oct. 21	Special
514 Glorious Trail—Oct. 28	700,000B
482 The Haunted House (S)—Nov. 4	800,000B
478 Outcast (S)—Nov. 11	1,300,000B
541 Lilac Time (S)—Nov. 18	Special
512 The Ware Case—Nov. 25	600,000B
489 Adoration (S) (Pleasure Bound) (30th of October)—Dec. 2	1,000,000B
484 Scarlet Seas (S)—Dec. 9	1,300,000B
504 Naughty Baby (Ritzzy Rosie)—Dec. 16	900,000B
515 Phantom City—Dec. 23	700,000B
543 The Barker (PT)—Dec. 30	Special
521 Synthetic Sin (S)—Jan. 6	Special
511 Dancing Vienna—Jan. 13	700,000B
550 The Divine Lady (PT)—Jan. 27	Special
491 Seven Footprints to Satan (PT)	Not Set

FEATURE RELEASE SCHEDULE

NOTE: "S" means that the picture is synchronized with music and possibly fitted with sound effects; "PT" (Part Talk) means that the characters talk in some of the situation; "MT" (Mostly Talk) means that the characters talk

in fifty per cent or more of the picture; "AT" (All Talk) means that the characters talk all the way through the picture; "AT*" (with one star) means that there is no silent version with that picture.

Columbia Features

Driftwood—M. Day-D. Alvarado	Oct. 15
Stool Pigeon—O. Borden-C. Delaney	Oct. 25
Power of the Press—J. Ralston-D. Fairbanks, Jr.	Oct. 31
Nothing to Wear—J. Logan-T. Von Elts	Nov. 5
Submarine (S) (Into the Depths) Holt-Revier	Nov. 12
The Apache—M. Livingston-D. Alvarado	Nov. 19
Restless Youth—Day-Forbes (reset)	Nov. 30
The Side Show—Prevost-Graves	Dec. 11
Object-Alimony—Wilson-Allan	Dec. 22
The Faker—J. Logan-C. Delaney	Jan. 2
The Lone Wolf's Daughter (PT)—Lytell (reset)	Jan. 13
The Younger Generation (PT)—Hersholt (reset)	Jan. 24

Excellent Features (1928-1929 Season)

The Passion Song—Beery-Olmstead	Oct. 20
Broken Barriers—H. Costello-G. Glass	Nov. 1
Daughters of Desire—I. Rich-J. Nash	Dec. 20
Montmartre Rose—M. de la Motte	Jan. 15

FBO Features

9215 Gang War (PT)—O. Borden-J. Pickford	Sept. 2
9291 Dog Law—Ranger	Sept. 2
9202 Stocks and Blondes—Logan-Gallagher	Sept. 9
9203 Charge of the Gauchos—Logan-Bushman	Sept. 16
9241 The Young Whirlwind—Buzz Barton	Sept. 16
9213 Hit of the Show (PT)—Olmstead-Brown	Sept. 23
9251 Son of the Golden West—Tom Mix	Oct. 1
9222 The Avenging Rider—Tom Tyler	Oct. 7
9214 The Circus Kid (PT)—Darro-Hanneford	Oct. 7
9205 Sally's Shoulders—Wilson-Hackathorne	Oct. 7
9209 Singapore Mutiny—E. Taylor-R. Ince	Oct. 14
9232 Lightning Speed—Bob Steele	Oct. 21
9242 Rough Ridn' Red—Buzz Barton	Nov. 4
9293 Tracked—Ranger	Nov. 4
9206 Sinners in Love—O. Borden-H. Gordon	Nov. 4
9207 His Last Haul—S. Owen-T. Moore	Nov. 11
9212 Taxi 13 (PT)—Conklin-Sleeper	Nov. 18
9223 Tyrant of Red Gulch—Tom Tyler	Nov. 25
9252 King Cowboy—Tom Mix	Nov. 26
9208 Stolen Love—M. Day-O. Moore	Dec. 2
9204 Tropic Madness—A. Q. Nilsson	Dec. 9
9216 Blockade (PT)—A. Q. Nilsson	Dec. 16
9231 Heading for Danger—Bob Steele	Dec. 16
9243 Orphan of the Sage—Buzz Barton	Dec. 23
92017 Hay Rube—Trevor-Olmstead	Dec. 23
92011 The Air Legion—Lyon-Sleeper	Jan. 6
9292 Fury of the Wild—Ranger	Jan. 6
92012 Voice of the Storm	Jan. 13
9224 Trail of the Horse Thieves—Tom Tyler	Jan. 13
92013 The Yellowback—Moore-Owen	Jan. 20
9253 Outlawed—Tom Mix	Jan. 21

Fox Features (1928-29 Season)

40 Street Angel (S)—Gaynor-Farrell	Aug. 19
35 The River Pirate (S)—McLaglen-Moran	Aug. 26
41 Four Sons (S)—Mann-Collyer-Hall	Sept. 2
45 Fazil (S)—Farrell-Nissen	Sept. 9
2 Win That Girl (S)—Rollins-Carol	Sept. 16
27 Plastered in Paris (S)—Cohen-Pennick	Sept. 23
39 The Air Circus (PT)—Rollins-Carol	Sept. 30
26 Dry Martini (S)—Astor-Moore-Gran	Oct. 7
24 Me Gangster (S)—Terry-Collyer	Oct. 14
43 Mother Machree (S)—Bennett-McLaglen	Oct. 21
38 Mother Knows Best (PT)—Bellamy-Dresser	Oct. 28
42 Sunrise (S)—Gaynor-O'Brien	Nov. 4
Deadwood Coach—Tom Mix (re-issue)	Nov. 4
1 Romance of Underworld (S)—Astor-Boles	Nov. 11
6 Prep and Pep (S)—Rollins-Drexel	Nov. 18
Taking a Chance—Rex Bell-Lola Todd	Nov. 18
29 Riley the Cop (S)—McDonald-Drexel-Rollins	Nov. 25
44 The Red Dance (S)—Del Rio-Farrell	Dec. 2
Just Tony—Tom Mix (re-issue)	Dec. 2
8 Blindfold (Case Mary Brown) (Fog) Moran	Dec. 9
9 Homesick—Sammy Cohen-Beebe	Dec. 16
17 Red Wine (Husbands Are Liars) Collyer	Dec. 23
7 Great White North (S) (Lost in the Arctic)	Dec. 30
34 Captain Lash (S)—McLaglen-Windsor	Jan. 6
Sky High—Tom Mix (re-issue)	Jan. 6
30 True Heaven (S) (False Colors)	Jan. 13
Fugitives (S) (Exiles)—Bellamy-Foxe	Jan. 27

Gotham Features

(1928-1929 Season—No earlier Releases)

Times Square (PT)—Day-Lubin Feb. 1
 River Woman (PT)—J. Logan-Barrymore..... Feb. 1
 A Modern Sappho (PT)—Betty Bronson..... Not Set
 Knee High (AT)—Virginia Lee Corbin Not Set
 Father and Son (AT)—Beery Sr.-Beery, Jr..... Not Set
 Girl From Argentine (AT)—Carmel Myers..... Not Set

Metro-Goldwyn-Mayer Features

907 ~~Our Dancing Daughters~~ (S) Crawford-Brown..... Sept. 1
 914 ~~Excess Baggage~~ (S)—Wm. Haines-J. Dunn..... Sept. 8
 942 ~~Beyond the Sierras~~—Tim McCoy Sept. 15
 918 ~~The Cameraman~~—B. Keaton Sept. 15
 902 ~~Beau Broadway~~—L. Cody-A. Pringle..... Sept. 22
 938 ~~While the City Sleeps~~ (S)—Chaney..... Sept. 29
 949 ~~Shadows of the Night~~—Flash..... Oct. 6
 911 ~~Brotherly Love~~ (S)—Dane-Arthur..... Oct. 13
 935 ~~Show People~~ (S)—M. Davies-Haines..... Oct. 20
 936 ~~The Wind~~ (S)—L. Gish..... Oct. 27
 811 ~~Napoleon~~—French Cast Oct. 27
 901 ~~The Baby Cyclone~~—Cody-Pringle..... Nov. 3
 821 ~~White Shadows of the South Seas~~ (S)..... Nov. 10
 930 ~~Masks of the Devil~~ (S)—J. Gilbert..... Nov. 17
 943 ~~The Bush Ranger~~—Tim McCoy..... Nov. 17
 939 ~~West of Zanzibar~~ (S)—Lon Chaney..... Nov. 24
 645 ~~Dream of Love~~ (sold also '25-26 group) Niblo..... Dec. 1
 951 ~~Spies~~ (German Prod)—Willy Fritsch..... Dec. 8
 937 ~~A Woman of Affairs~~ (S)—Gilbert-Garbo..... Dec. 15
 826 ~~Lady of Chance~~ (S) (Little Angel)—Shearer..... Dec. 22
 950 ~~Honeymoon~~—Flash Dec. 29
 952 ~~The Trail of '98~~ (S)—Dolores Del Rio..... Jan. 5
 944 ~~Morgan's Last Raid~~—Tim McCoy..... Jan. 5
 903 ~~Single Man~~—Cody-Pringle Jan. 12
 933 ~~The Flying Fleet~~ (S) (Gold Braid)—Novarro..... Jan. 19
 915 ~~Alias Jimmy Valentine~~ (PT)—Wm. Haines..... Jan. 26

Paramount Features

2829 ~~Sawdust Paradise~~ (S)—Ralston-Bosworth..... Sept. 1
 2852 ~~The Patriot~~ (S)—E. Jannings-L. Stone..... Sept. 1
 2855 ~~The Fleet's In~~—Clara Bow..... Sept. 15
 2862 ~~Beggars of Life~~ (S)—Beery Sept. 22
 2839 ~~Model from Montmartre~~—Petrovitch Sept. 22
 2807 ~~The Docks of N. Y.~~—Bancroft-Compson..... Sept. 29
 2853 ~~Wedding March~~ (S)—Von Stroheim..... Oct. 6
 2810 ~~Take Me Home~~—Bebe Daniels Oct. 13
 2802 ~~Moran of the Marines~~—R. Dix..... Oct. 13
 2814 ~~Varsity~~ (PT)—C. Rogers—"Sophomore"..... Oct. 27
 2820 ~~Woman from Moscow~~ (S)—Negri-Kerry..... Nov. 3
 2838 ~~Huntingtower~~ (BRIT)—Sir Harry Lauder..... Nov. 3
 2824 ~~Avantgarde~~—Jack Holt-Hill-Baclanova..... Nov. 10
 2821 ~~His Private Life~~—A. Menjou..... Nov. 17
 2866 ~~Manhattan Cocktail~~ (S)—Arlen-Carroll..... Nov. 24
 2815 ~~Someone to Love~~—Rogers-Brian Dec. 1
 2856 ~~Three Weeks Ends~~—Clara Bow Dec. 8
 2811 ~~What a Night!~~—Daniels Dec. 22
 2859 ~~Sins of the Fathers~~ (PT)—E. Jannings..... Dec. 29
 2851 ~~Wings~~ (S)—Clara Bow-Buddy Rogers..... Jan. 5
 2871 ~~Interference~~ (AT)—Brent-Brook-Powell..... Jan. 5
 2880 ~~Abie's Irish Rose~~ (PT)—Rogers-Carroll..... Jan. 5
 2879 ~~Behind the German Lines~~ (S) Jan. 12
 2875 ~~The Shopworn Angel~~ (MT)—Cooper Jan. 12
 2869 ~~The Case of Lena Smith~~—Esther Ralston..... Jan. 19
 2885 ~~The Doctor's Secret~~ (AT*)—Chatterton Jan. 26

Pathe Features

9671 ~~The Black Ace~~ Don Coleman..... Sept. 2
 9544 ~~Man-Made Women~~—L. Joy-H. B. Warner..... Sept. 9
 9519 ~~Craig's Wife~~—I. Rich (reset)..... Sept. 16
 9513 ~~Power~~—Wm. Boyd..... Sept. 23
 9621 ~~Burning Bridges~~—Harry Carey..... Sept. 30
 9511 ~~The King of Kings~~ (S)—Warner (reset)..... Sept. 30
 9515 ~~Celebrity~~—Robt. Armstrong Oct. 7
 9545 ~~Captain Swagger~~ (S)—Rod La Roque..... Oct. 14
 9516 ~~Show Folks~~ (PT)—E. Quillan..... Oct. 21
 9546 ~~Forbidden Love~~—L. Damita Oct. 28
 9661 ~~Yellow Contraband~~—Leo Maloney..... Oct. 28
 9532 ~~Marked Money~~ (S)—Jr. Coghlan (reset)..... Nov. 4
 9531 ~~Sal of Singapore~~ (PT)—P. Haver (re)..... Nov. 11
 9514 ~~Annapolis~~ (PT)—Loff-Brown Nov. 18
 9512 ~~Love Over Night~~—R. La Roque (reset)..... Nov. 25
 9518 ~~Ned McCobb's Daughter~~ (S)—I. Rich..... Dec. 2
 9538 ~~The Shady Lady~~ (PT)—P. Haver Dec. 16
 9622 ~~The Border Patrol~~—Harry Carey..... Dec. 23
 9517 ~~The Spieler~~ (PT)—A. Hale-R. Adoree..... Dec. 30
 9543 ~~Geraldine~~ (PT)—Quillan-Nixon Jan. 16
 9611 ~~Sin Town~~—Elinor Fair Jan. 20
 9534 ~~Noisy Neighbors~~ (PT)—Quillan-Vaughn Jan. 27

Rayart Features

Isle of Lost Men—T. Santschi-P. O'Leary..... Oct.
 Should a Girl Marry?—Helen Foster-D. Keith..... Nov.
 Ships of the Night—J. Logan-Sojin (reset)..... Dec.
 The Black Pearl—L. Lee-R. Hallor (reset)..... Jan.
 When Dreams Come True—H. Costello-Lease..... Jan.

Tiffany-Stahl Features
(1928-29 Season)

The Toilers (S)—D. Fairbanks, Jr.-J. Ralston..... Oct. 1
 The Naughty Dutchess—E. Southern..... Oct. 10
 The Power of Silence—B. Bennett-J. Westwood..... Oct. 20
 The Cavalier (S)—R. Talmadge-B. Bedford..... Nov. 1
 The Floating College—S. O'Neill-B. Collier..... Nov. 10
 The Gun Runners—R. Cortez-N. Lane..... Nov. 20
 Marriage By Contract (S)—Patsy Ruth Miller..... Dec. 1
 Tropical Nights—P. R. Miller-MacGregor..... Dec. 10
 George Washington Cohen—Geo. Jessel..... Postponed
 The Man In Hobbles—J. Harron-L. Lee Dec. 20
 Lucky Boy (PT)—Geo. Jessel-M. Quimby..... Jan. 1
 Broadway Fever (Applause)—Sally O'Neill..... Jan. 10
 The Devils Apple Tree—Sebastian Kent Jan. 20

United Artists Features

Hell's Angels (S)—Lyon-Nissen Roadshow
 The Awakening (S)—Banky (reset)..... Nov.
 Lady of Pavement (PT) (Masquerade) (Love Song)..... Jan.
 The Rescue (S)—Colman-Damita (reset)..... Jan.
 Night Stick (PT)..... Not Set
 Iron Mask (PT)—Douglas Fairbanks Not Set
 Three Passions (S)—Terry-Petrovitch..... Not Set

Universal Features

A5730 ~~Uncle Tom's Cabin~~ (S)—All Star..... Sept. 2
 A5732 ~~Home, James~~—L. LaPlante Sept. 2
 A5734 ~~Anybody Here Seen Kelly~~—T. Moore..... Sept. 9
 A5735 ~~The Night Bird~~—Denny Sept. 16
 A359 ~~Guardians of the Wild~~—Rex-J. Perrin..... Sept. 16
 A5733 ~~Foreign Legion~~—L. Stone-N. Kerry..... Sept. 23
 A5744 ~~Grip of the Yukon~~—Marlowe-Bushman..... Sept. 30
 A360 ~~The Cloud Dodger~~—Al. Wilson Sept. 30
 A5754 ~~Clearing the Trail~~—Gibson..... Oct. 7
 A5738 ~~How to Handle Women~~—Tryon..... Oct. 14
 A365 ~~Crimson Canyon~~—Wells Oct. 14
 A5739 ~~The Michigan Kid~~—Adoree-Nagel..... Oct. 21
 A5740 ~~Freedom of the Press~~—Lewis Stone..... Oct. 28
 A378 ~~The Price of Fear~~—Cody Thompson..... Oct. 28
 A5741 ~~Man Who Laughs~~ (S)—Philbin-Veidt..... Nov. 4
 A5736 ~~Jazz Mad~~—Hersholt-Nixon..... Nov. 11
 A5743 ~~The Danger Rider~~—Gibson..... Nov. 18
 A363 ~~Two Outlaws~~—Rex-Perrin..... Nov. 18
 A5742 ~~Phyllis of the Follies~~—M. Moore..... Nov. 25
 A5774 ~~Melody of Love~~ (AT)—Pigeon-Harris..... Dec. 2
 A369 ~~The Hero of the Circus~~—Maciste..... Dec. 2
 A5752 ~~Red Lips~~—Rogers-Nixon Dec. 2
 A5750 ~~The Gate Crasher~~—G. Tryon Dec. 9
 A361 ~~Beauty and Bullets~~—Wells Dec. 16
 A5745 ~~Give and Take~~ (PT)—Sidney-Hersholt..... Dec. 23
 A5756 ~~Honeymoon Flats~~—Lewis-Gulliver Dec. 30
 A5772 ~~King of the Rodeo~~—Gibson..... Jan. 6
 A5758 ~~The Last Warning~~ (PT)—LaPlante Jan. 6
 A5748 ~~Man, Woman and Wife~~ (S)—Kerry-Starke..... Jan. 13
 A366 ~~The Sky Skidder~~—Wilson Jan. 13
 A5773 ~~Lonesome~~ (PT)—Tryon-Kent Jan. 20
 A5752 ~~Silks and Saddles~~—M. Nixon Jan. 20
 A5766 ~~Red Hot Speed~~ (PT)—Denny Jan. 27
 A367 ~~Grit Wins~~—Wells Jan. 27

Warner Bros. Features
(1928-29 Season)

Lights of New York (AT) July 21
 218 ~~State Street Sadie~~ (PT) Nagel..... Aug. 25
 228 ~~Women They Talk About~~ (PT)—Rich..... Sept. 8
 227 ~~Caught in the Fog~~ (PT)—McAvoy-Nagel..... Sept. 22
 223 ~~The Midnight Taxi~~ (PT)—Moreno-Costello..... Oct. 6
 The Terror (AT)—McAvoy-E. E. Horton..... Oct. 20
 235 ~~Land of the Silver Fox~~ (PT)—Rin-Tin-Tin..... Nov. 10
 225 ~~Beware of Bachelors~~ (PT)—A. Ferris..... Dec. 1
 The Home Towners (AT)—R. Bennett..... Dec. 15
 On Trial (AT)—P. Frederick-B. Lytell..... Dec. 29
 The Singing Fool (MT)—Al Jolson..... Jan. 1
 230 ~~The Little Wild Cat~~ (PT)—Audrey Ferris..... Jan. 5
 282 ~~The Jazz Singer~~ (PT)—Al Jolson..... Not Set
 186 ~~Tenderloin~~ (PT)—Dolores Costello..... Not Set
 183 ~~The Lion and the Mouse~~ (PT)—McAvoy..... Not Set
 185 ~~Glorious Betsy~~ (PT)—Dolores Costello..... Not Set
 My Man (MT)—Fannie Brice Jan. 12
 Conquest (AT)—Blue-Warner Jan. 19

ONE AND TWO REEL COMEDY RELEASE SCHEDULE

Educational—One Reel

Bumping Along—Stone-Marshall-Cameo.....	Nov. 18
Playful Papas—Cameo-Mandy	Dec. 2
Murder Will Out—Dent-Cameo	Dec. 16
In the Morning—Dent-Cameo	Dec. 30
What a Trip—Dent-Cameo	Jan. 13
Dumb—and How—Thatcher-Allen-Young-Cameo..	Jan. 27

Educational—Two Reels

Misplaced Husbands—Dorothy Devore.....	Nov. 25
Hot or Cold—Al St. John-Mermaid.....	Dec. 2
Be My King—Lupino Lane	Dec. 9
Follow Teacher—Big Boy-Juvenile	Dec. 16
Wives Won't Weaken—Drew-Bradley-Ideal....	Dec. 16
Social Prestige—Collins-Mermaid	Dec. 23
The Air Derby—Howes-Farrell	Jan. 6
Husband's Must Play—Lupino-Tuxedo	Jan. 6
Going Places—Davis-Mermaid	Jan. 13
Only Me—Lupino Lane	Jan. 20
Beauties Beware—Drew-Ideal	Jan. 27

FBO—One Reel

5 Curiosities	Nov. 21
6 Curiosities	Dec. 5
7 Curiosities	Dec. 19
8 Curiosities	Jan. 2
9 Curiosities	Jan. 16
10 Curiosities	Jan. 30

FBO—Two Reels

Broadway Ladies—Vaughn-Cooke.....	Nov. 11
The Family Meal Ticket—Hill-Duncan.....	Nov. 11
Mickey's Athletes—Mickey McGuire.....	Nov. 25
Money Talks—Barney Google	Dec. 2
Casper's Week-End—Toots and Casper	Dec. 9
Mickey's Big Game Hunt—Mickey McGuire....	Dec. 23
The Beef Steaks—Barney Google	Dec. 30
Runnin' Thru the Rye—Barney Google	Jan. 27
Mickey's Great Idea—Mickey McGuire.....	Jan. 30

Fox—One Reel

Glories of the Evening.....	Nov. 11
Desert Skyscrapers	Nov. 25
Blue Grass and Blue Blood.....	Dec. 9
Storied Palestine	Dec. 23
The Harvest	Jan. 6
Ends of the Earth	Jan. 20

Metro-Goldwyn-Mayer—One Reel

Savage Customs—Oddity.....	Nov. 24
Kisses Come High—Oddity	Dec. 12
Strange Prayers—Oddity	Dec. 22
Napoleon's Homeland—Oddity	Jan. 5
Uphill & Down—Oddity	Jan. 19

Metro-Goldwyn-Mayer—Two Reels

Madame Dubarry—Events.....	Nov. 17
School Begins (S)—Gang	Nov. 17
The Booster (S)—Chase	Nov. 24
Habeas Corpus (S)—Laurel-Hardy.....	Dec. 1
Feed 'Em and Weep—All Star	Dec. 8
The Spanking Age (S)—Gang.....	Dec. 15
Chasing Husbands—Charley Chase.....	Dec. 22
We Faw Down (S)—Laurel-Hardy.....	Dec. 29

Paramount

48 Even Number...Wednesday, Jan. 9	5464
49 Odd Number....Saturday, Jan. 12	5465
50 Even Number...Wednesday, Jan. 16	5466
51 Odd Number....Saturday, Jan. 19	5467
52 Even Number...Wednesday, Jan. 23	5468
53 Odd Number....Saturday, Jan. 26	5469
54 Even Number...Wednesday, Jan. 30	5470
55 Odd Number....Saturday, Feb. 2	5471
56 Even Number...Wednesday, Feb. 6	5472
57 Odd Number....Saturday, Feb. 9	5473

Metro-Goldwyn-Mayer

43 Odd Number...Wednesday, Jan. 9	3
44 Even Number....Saturday, Jan. 12	4
45 Odd Number...Wednesday, Jan. 16	5
46 Even Number....Saturday, Jan. 19	6
47 Odd Number...Wednesday, Jan. 23	7
48 Even Number....Saturday, Jan. 26	8
49 Odd Number...Wednesday, Jan. 30	9
50 Even Number....Saturday, Feb. 2	10
51 Odd Number...Wednesday, Feb. 6	11
52 Even Number....Saturday, Feb. 9	12

Kinograms

48 Even Number...Wednesday, Jan. 9	31
49 Odd Number....Saturday, Jan. 12	32
50 Even Number...Wednesday, Jan. 16	33
51 Odd Number....Saturday, Jan. 19	34
52 Even Number...Wednesday, Jan. 23	35
53 Odd Number....Saturday, Jan. 26	36
54 Even Number...Wednesday, Jan. 30	37
55 Odd Number....Saturday, Feb. 2	38
56 Even Number...Wednesday, Feb. 6	39
57 Odd Number....Saturday, Feb. 9	40

International

3 Odd Number...Wednesday, Jan. 9	6
4 Even Number....Saturday, Jan. 12	7
5 Odd Number...Wednesday, Jan. 16	8
6 Even Number....Saturday, Jan. 19	9
7 Odd Number...Wednesday, Jan. 23	10
8 Even Number....Saturday, Jan. 26	11
9 Odd Number...Wednesday, Jan. 30	12
10 Even Number....Saturday, Feb. 2	13
11 Odd Number...Wednesday, Feb. 6	14
12 Even Number....Saturday, Feb. 9	15

Fox

31 Odd Number...Wednesday, Jan. 9	6
32 Even Number....Saturday, Jan. 12	7
33 Odd Number...Wednesday, Jan. 16	8
34 Even Number....Saturday, Jan. 19	9
35 Odd Number...Wednesday, Jan. 23	10
36 Even Number....Saturday, Jan. 26	11
37 Odd Number...Wednesday, Jan. 30	12
38 Even Number....Saturday, Feb. 2	13
39 Odd Number...Wednesday, Feb. 6	14
40 Even Number....Saturday, Feb. 9	15

Pathe

6 Even Number...Wednesday, Jan. 9	15
7 Odd Number....Saturday, Jan. 12	16
8 Even Number...Wednesday, Jan. 16	17
9 Odd Number....Saturday, Jan. 19	18
10 Even Number...Wednesday, Jan. 23	19
11 Odd Number....Saturday, Jan. 26	20
12 Even Number...Wednesday, Jan. 30	21
13 Odd Number....Saturday, Feb. 2	22
14 Even Number...Wednesday, Feb. 6	23
15 Odd Number....Saturday, Feb. 9	24

Going Ga Ga—All Star	Jan. 5
Election Day—Our Gang	Jan. 12
Manchu Love—Events.....	Jan. 12
Ruby Lips (S)—Chase	Jan. 19
Liberty (S)—Laurel-Hardy	Jan. 26

Paramount—One Reel

Koko's Magic—Inkwell Imps.....	Nov. 17
The Liar Bird—Krazy Kat.....	Nov. 24
Koko on the Track—Inkwell Imps.....	Dec. 1
Still Waters—Krazy Kat.....	Dec. 8
Koko's Act—Inkwell Imps.....	Dec. 15
Night Howls—Krazy Kat.....	Dec. 22
Koko's Courtship—Inkwell Imps	Dec. 29
Cow Belles—Krazy Kat	Jan. 5
No Eyes Today—Inkwell Imps	Jan. 12
Hospitalities—Krazy Kat	Jan. 19
Noise Annoys Koko—Inkwell Imps.....	Jan. 26

Paramount—Two Reels

Lay on MacDuff—MacDuff.....	Nov. 17
Believe It or Not—Chorus Girl.....	Nov. 24
The Home Girl—Stars and Authors.....	Dec. 1
Footloose Wimmen—Vernon	Dec. 8
Gobs of Love—Dooley.....	Dec. 15
Should Scotchmen Marry?—MacDuff.....	Dec. 22
Nifty Numbers—Chorus Girl.....	Dec. 29
Why Gorillas Leave Home—Vernon	Jan. 12
Happy Heels—Dooley	Jan. 19

Pathe—Two Reels

No Sale—Smitty-Hamilton.....	Nov. 18
The Campus Vamp—Sennett Girls.....	Nov. 25
Hubby's Week End Trip—Sennett.....	Dec. 2
The Burglar—Sennett-DeLuxe	Dec. 9
Camping Out—Smitty	Dec. 16
Taxi Beauties—Sennett-Cooper	Dec. 23
His New Stenographer—Sennett-Bevan.....	Dec. 30
Clunked on the Corner—Sennett—J. Burke	Jan. 6
All Aboard—Smitty	Jan. 13
Baby's Birthday—Sennett-Smith	Jan. 20
Uncle Tom—Sennett—De Luxe	Jan. 27

Universal—One Reel

Rocks and Socks—Oswald Cartoon.....	Nov. 12
A South Pole Flight—Oswald Cartoon.....	Nov. 26
A Woman's Man—Horace in Hollywood.....	Dec. 3
A Horse Tail—Oswald Cartoon.....	Dec. 10
Farmyard Toilers—Oswald Cartoon.....	Dec. 23
Sleeping Through—Arthur Lake	Dec. 30
Homeless Homer—Oswald Cartoon	Jan. 7
Yankee Clippers—Oswald Cartoon	Jan. 21
Whose Baby—Horace in Hollywood	Jan. 28

Universal—Two Reels

Teacher's Pest—Stern Bros.....	Nov. 14
Fish Stories—Stern Bros.....	Nov. 21
Newlyweds Lose Snookums—Jh. Jewel.....	Nov. 28
All for Geraldine—Let George Do It.....	Dec. 5
Watch the Birdie—Buster Brown.....	Dec. 12
And Morning Came—Stern Bros.....	Dec. 19
Newlyweds Need Help—Jr. Jewel	Dec. 26
Sailor Suits—Stern Bros.....	Jan. 2
Out at Home—Stern Bros.....	Jan. 9
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Columns, if It is to Benefit the Exhibitor.

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Vol. XI

SATURDAY, JANUARY 12, 1929

No. 2

Facts About Talking Pictures and Instruments—No. 11

When an invention is brought out, there are always unscrupulous persons that engage in the manufacture and sale of articles of that invention for the purpose of grabbing what they can, while the grabbing is good, at the expense of those that are engaged in that particular business legitimately.

In the first stages of the radio business, not less than thirty thousand persons and concerns announced the manufacture and sale of radios. Some of such persons or concerns promised radio performances that the best radio engineers today are not in a position to promise.

But now no more than three hundred of such manufacturers exist. And of these less than thirty of them are what we would call dependable in every respect.

What happened in the radio business and in many other businesses is happening today in the talking picture field. So many manufacturers of non-synchronous as well as of synchronous instruments have sprung up that if I were to attempt to investigate them all, as I have been requested to do by many exhibitors, I would be able to do nothing else.

In the independent synchronous instrument field, there are one or two that seem to be so constructed as to give promise to perform well under actual working conditions, so far as construction of the machine itself goes; but the sound projection system they use is not designed to give the best results. In no instance, in fact, have I been able to find any of these instruments, synchronous as well as non-synchronous, whose sound projection system is such as to give good quality of sound, without undue resonances. For this reason, I have thought that I would be rendering you a great service if I set down for such system specifications that will give satisfactory tone quality.

For synchronous instruments, the sound projection system must have the following features:

(1) A paper cone whose diameter should be not less than 12 inches.

(2) Such cone must not be mounted on a baffle board, of any shape or form, but on an angle-iron frame, which must be so constructed as not to give out sound, its own sound, when the pitch of the notes reaches its own pitch.

(3) The frame must be clear of any cavity, to prevent undesirable resonances.

(4) In the case of synchronous instruments, the sound projection apparatus must consist at least of 4 cones, for theatres of three hundred seats or less; of 6 cones, for theatres of six hundred seats or less; of 8 cones, for theatres of one thousand seats or less; and of more than eight cones, for theatres of more than one thousand seats.

(5) For non-synchronous instruments, the system must have at least half of the number of cones set down for synchronous instruments.

(6) The cones must be mounted at varying angles, so as to distribute the sound evenly throughout the house.

(7) In the case of synchronous instruments, at least two of the cones must be mounted one each side of the curtain at a position above the middle of the screen, or about where the faces of the characters usually are.

(8) The cones must not be fastened by the engineers on or near a medium that is liable to create undesirable resonances. In other words, any cavity near the cones must either be removed or covered with felt so as to reduce, if not eliminate entirely this defect. The wooden platform of the stage must not be used to fasten the cones on, unless it is covered with thick felt.

These specifications are the result of close study of the sound problem. If you disregard them, you will do so at your own risk. Sooner or later you will be compelled to dis-

card a system that does not comply with these specifications for one that does. So if you should not adhere strictly to these specifications now, it will mean an extra expenditure of money for you at a later date, besides a loss of prestige, and perhaps of patronage, by the adoption of a system that cannot give satisfactory tone quality. The horn has proved incapable, by its own nature, of giving true tone quality.

As I told you last week, before making up your mind to install a synchronous instrument, make sure that you will have talking pictures to run. There is no use for your spending a big sum of money to install an instrument if it will lie idle; it is too expensive an act. Do not be influenced by a few isolated examples the manufacturers of these instruments may cite you; one swallow does not a summer make. You should not pay any attention to oral promises of exchangemen about their willingness to sell you their talking picture subjects either; get their promises in writing. Better yet, enter into a contract with them, with the understanding, written in, that the contract shall be valid only if you should be able to have a talking picture instrument installed by a certain date, such contract to be considered automatically cancelled if you should not be able to have it installed.

Of course, in some cases you will not be able to induce them to give you a contract on such terms, but where there is no competition there is no reason why they should not give you one; if they are sincere about their being willing to sell you their talking pictures, they should not refuse to grant you such a contract.

At this time let me again remind you about the pictures that are fitted only with music and with some sound effects: don't buy any such pictures with the sound; buy them only as silent, for with the aid of a good non-synchronous instrument you will be able to give better music, for the reasons that I explained in the seventh article of this series, and better sound effects. I have found out that in nine cases out of a hundred the sound effects that are furnished with the synchronized pictures are so poor that they drive patrons away instead of attracting them; and once these sound effects are in, you cannot take them out. On the other hand, if any particular sound effects of your own manufacture prove objectionable, you can remove them. Besides, the home-made music and sound effects will cost you very little as compared with what you will be compelled to pay to the producers. Not music and sound effects, but "talk" is what will help your business.

P. S. HARRISON.

A BETTER WAY

Recently Mr. W. M. Miller, of Western Theatres, Inc., Cloquet, Minnesota, wrote to Arthur James a long letter, expressing his sentiments with freedom. He closed that letter as follows: "If you really want to do something for the good of the industry, I would suggest that you go out in the alley and shoot yourself."

I don't think it is necessary for Arthur to follow Mr. Miller's advice and commit suicide with a pistol; all he has to do is to take over another trade paper and it will be just the same.

LOOK THROUGH YOUR FILES

If any copies are missing from your files, write and ask for them; they will be supplied to you free of charge.

"Scarlet Seas" (S)—with Dick Barthelmess*(First National, Dec. 9; Sil., 6,337 ft.; Synchr., 6,331 ft.)*

It is a pretty good picture for those that enjoy seeing a strong melodrama. This one unfolds on board a ship, and a mutiny of sailors is the chief activity. The love affair is between a young captain (hero) and a cabaret entertainer, who was everybody's woman. The hero, while in port, becomes acquainted with the heroine and carries her away to his ship. His ship burns down and he and the heroine drift for days in a boat until they spy a schooner. They signal for help but no one answers. They approach it and board it. The first thing that meets their eyes is a dead body, and then more dead bodies. They enter the cabin and find the crew drinking and singing. They learn that the crew had mutinied and killed their officers. The heroine recognizes some of her old "friends." The hero discovers the captain and his daughter barricaded in his cabin. The hero assures the captain that he is not one of the mutineers but a captain of another ship, which had been destroyed by fire, and the captain opens the door. He informs the hero that the crew had mutinied for the purpose of forcing him to surrender to them a shipment of pearls he was taking to China. They two set their heads together to find a way to subdue the crew. The heroine sees the hero too close to the captain's daughter and thinks that he had given her up. Feeling furious, she tells the crew that the hero had been planning to subdue them. The crew start after the hero. The hero tells the heroine that she had misjudged him. The heroine relents and lends the hero a helping hand. The hero grapples with the leader of the mutineers and throws him overboard. He then subdues the leaderless crew. Hero and heroine marry.

The action is illogical in many places. For instance, the hero and the heroine are shown climbing the rope ladder of the schooner with the nimbleness of perfectly vigorous persons, although they are supposed to have been hungry for days and also thirsty. The leader of the crew, with whom the hero grapples, is a giant, and yet the hero not only subdues him but is also able to lift him and to throw him overboard. There are other such offenses to logic.

W. Scott Darling wrote the story, and John Francis Dillon directed it. Betty Compson is the heroine. Loretta Young, James Bradbury, Sr., Jack Curtis and Knute Erickson are in the cast.

Not a Sunday School picture.

"Restless Youth"—with Marceline Day*(Columbia, Nov. 20; 6,085 ft.; 70 to 86 min.)*

The first part of this picture is not so pleasing; it deals with a young flirt, a college girl, who gets into trouble when a student invites her to a supposed party in his rooms, but when she calls there she finds out that she had been tricked by him, and that his object was to disgrace her; her flirtatious nature had made him believe that she was not a good girl. But how powerful it becomes afterwards! It reminds one of "Madame X"; only that, instead of a son defending his mother, in this picture the lawyer that defends her is her sweetheart, who first believed her unworthy of his love, but who afterward found out, while she was on the stand and he was in the audience, drawn there by the fact that he still cared for her, that she was worthy of his love. These situations become more dramatic because of the fact that the young hero, in undertaking the defense of the heroine, to save her from her blundering lawyer, is pitted against his own father, who is the district attorney and naturally the prosecutor. The fact that it was the hero's father that had brought about the separation between the two lovers helps to make the hero's part more dramatic.

Miss Day does excellent work, both as the flirt and as the defendant in the murder case. Ralph Forbes is good as the hero. Norman Trevor, Robert Ellis, Mary Mabery, Gordon Elliott, and Coy Watson are in the cast.

The plot has been founded on a story by Cosmo Hamilton. It has been directed by Christy Cabanne well.

"Lucky Boy" (PT)—with George Jessel*(Tiffany-Stahl, Jan. 1; Syn., 8,900 ft.; Sil., 6,520 ft.)*

This is the first Tiffany-Stahl picture in which the characters are made to talk in some of the situations, and the first in which George Jessel sings several songs. From the beginning it is obvious that the story's treatment bears a resemblance to "The Jazz Singer," the Warner Bros.' picture with Al Jolson. In "The Jazz Singer," Al Jolson

goes away from home in order to become an actor, a profession his father did not want him to follow. In "Lucky Boy," George Jessel does the same thing; he goes away from home and becomes an actor against his father's wishes. In "The Jazz Singer," Al Jolson sings several songs and makes a hit; in "Lucky Boy," George Jessel does the same thing. Because of the similarity of theme, therefore, one cannot help making comparison between the two pictures.

The story material in "Lucky Boy" is very good. It is, however, in the personality of the two actors where the difference lies. Al Jolson has a magnetic screen personality; despite his somewhat "homely" appearance, he attracts the spectator at once and makes friends with him. George Jessel lacks that warmth; he is cold. On the point of acting, Al Jolson can express depths of emotion that make one feel them to the marrow of his bone. George Jessel unfortunately lacks that power; he is too inflexible. His voice, too, lacks that sweetness that made Al Jolson's songs to be felt by the spectator deeply.

There are several situations in the picture that appeal to the spectator's sympathies. But the most powerful situation is that which shows Mr. Jessel, after he had made a success in San Francisco, singing a song, dedicated to his mother, with the mother shown in New York listening over the radio. Another situation that is as pathetic is that which shows George Jessel returning to his parents after he had gained fame and for the first time meeting his mother.

The plot has been suggested according to the press sheet, on a story by Viola Brothers Shore. It was directed by Norman Taurog and Charles C. Wilson. It was synchronized with the Photophone process. The synchronization is good; although the picture was run at the Embassy over a Western Electric instrument, of the Movietone type, the tone quality was not bad, except that the volume control was poor; the music and the talk were too strong for a house such as the Embassy, which seats only 600. The characters spoke in voice that was too strong to make one feel that it came from human beings. Rosa Rosanova, William K. Strauss, Margaret Quimby, Gwen Lee, Richard Tucker, Gayne Whitman, and Mary Doran.

NOTE: At the opening of the show there was shown "Toy Shop," a short in technicolor, synchronized with the Photophone system. It shows a toymaker finding a little girl out in the snow at Christmas time, cold and hungry; he takes the child into his shop, puts warm stockings on her little cold feet, and feeds her. The child soon goes to sleep and dreams that the toys came to life, the soldiers performing several evolutions at the beat of music. To me this 850 foot short film was as pleasing as "Lucky Boy" itself.

"The Shady Lady" (PT)—with Phyllis Haver*(Pathe, Dec. 16; Sil., 6,132 ft.)*

This is a bootleg and high-jacking story, and a good one. The interest is kept alive all the way through, and in the second half the spectator is held in pretty tense suspense. The suspense in that part is caused by the fact that a young New York reporter, who had shown that he was human when he refrained from sending to his paper a story about the heroine that would have ruined her reputation unjustly, falls into the hands of the bootleggers and is in danger of losing his life; he had gone after them to get a story, but when he fired the flashlight in an effort to get a picture, the bootleggers were apprised of his presence and caught him. The heroine risks her own life, as does the hero, to save the boy. They go right into the lair of the bootleg leader. The bootlegger is joyful when he sees them fall into his hands, but when the heroine tells him that his skin would not be worth a cent if he tried to harm the boy, he desists; she reveals to him that, before she and the hero had visited him, she took care to let the editor of the Havana newspaper know that the young reporter's life was in danger at his hands.

The manner by which the different threads of the story are interwoven in the closing scenes is intelligent, and satisfies the discriminating spectator. Miss Haver does good work as the supposed shady lady, who had been accused of a murder wrongly, but whom the hero loved just the same. Robert Armstrong makes a good hero, and Louis Wolheim makes a vicious villain. Russell Gleason is the young reporter.

The story unfolds in Havana. It was written by Jack Jungmeyer, and directed by Edward H. Griffith.

NOTE: This picture was reviewed as silent; the fitting of the Pathe projection room with sound has not yet been completed.

"Synthetic Sin" (S)—with Colleen Moore*(First National, Jan. 6; Sil., 6,724 ft.; Syn., 7,035 ft.)*

About the poorest picture Colleen Moore has been in for a long time. She loves Antonio Moreno, who takes the part of an author, but because she was not worldly wise he would not give her a part in his play. So she decides to go to New York to learn how to be a bad woman so as to fit herself for the part. In New York, this child-looking actress naturally has a hard time making any one believe that she is bad. At one time she gets the fright of her life when a man runs after her; she thought that he would try to make her "bad," when in truth the man was from a mission that looked after young girls to prevent any one from harming them. Towards the end, some thrills are furnished by some crooks, from whom the heroine was trying to get her "experience." She overhears some one say that they were staging this affair for the heroine, but when she sees real bullets and real men dropping to the floor with bullets in their hearts, she realizes that it was no "laughing matter." But even part of this affair turns out to have been "staged."

The plot is based on the play by Frederic and Fanny Hatton. William Seiter directed it. Others in the cast are: Edythe Chapman, Katherine McGuire, Gertrude Howard, Gertrude Love, Montagu Love, Raymond Tirner, Ben Hendricks, Jr., and others.

It is supposed to be a comedy, but the comedy missed fire.

"Romance of the Underworld" (S)—with Mary Astor*(Fox, Nov. 11; 6, 162 ft.)*

This is the familiar story of the girl with a past that married, and years later her past rose before her like a ghost, threatening the destruction of her happiness, on account of the fact that she had not told her husband of such past. This time the story has been treated so well that the picture not only entertains but appeals to the emotions. The biggest share of the spectator's attention is attracted by Robert Elliott, who poses as the kind-hearted detective. When a cabaret of questionable character was raided and the heroine, who had a few scenes previously shown by her conduct that she was sick of that life and wanted to run away from it, exits from the room to go out, she is confronted by the detective. He could see that she was different from others and let her go after questioning her, advising her to "keep on running." When he meets her outside the cabaret a few minutes later and finds her crying, he gives her his handkerchief and advises her to use it to wipe off her tears; he then goes away. She finds a ten dollar bill wrapped up in it. This endears the detective to the spectator.

But the most touching part of the picture is where the detective, when the heroine calls on him and tells him how an old sweetheart tried to blackmail her by threatening to tell her husband of her past unless she paid him well, undertakes to protect her from her blackmailing scoundrel. The detective incites another character, whose sweetheart the villain had stolen, to "bump" him off. The danger to the heroine's happiness is thus removed.

The plot is based on the play by Paul Armstrong. It was directed by Irving Cummings. Others in the cast are Ben Bard, John Boles, Oscar Apfel, and Helen Lynch.

"Stolen Love"—Marceline Day and Owen Moore*(F. B. O., Dec. 2; 6,223 ft.; 72 to 88 min.)*

Only fair: It is an old story, told in a conventional way. And its results in just another program picture of neighborhood calibre. Miss Day gives a very good performance as the heroine, but it does not help the picture. Rex Lease is likeable as the hero. But Owen Moore, though featured, plays the part of the villain in colorless manner.

The story revolves around a romantic young girl of a well-to-do family, who is protected from the world by two aunts. She meets the hero, an automobile mechanic and inventor, and both fall in love with each other. But the aunts oppose their marriage; first they put the hero in jail when he tried to climb over the gate, in order to frustrate the couple's plans to elope and then they sent the heroine away to a boarding school. But she left the train to search for the hero, who in the meantime had been told by the aunts that the heroine had decided she did not want to marry him, and who had gone to the city. When

the heroine learned this, she started walking to the city when she got a lift from a man who took a fancy to her. He was in reality a philanderer, who got his sweethearts jobs as manniquins, until he grew tired of supporting them in the style to which he made them accustomed. At a night club, the hero, after a long search, met the heroine. Seeing the heroine wearing expensive jewelry and beautiful clothes, he suspected that she had been living a fast life. But convinced by her pal that she was longing to find him, the hero followed her when he learned that the villain had taken her to his cabin and arrived in time to save her from being insulted by the villain.

It was directed by Lynn Shores from a story by Hazel Livingston.

"The Last Warning" (PT)—with Laura La Plante*(Universal, Jan. 6; Sil., 7,731 ft.; Syn., 7,290 ft.)*

This is something on the order of "The Cat and the Canary," with as much mystery and as much excitement. But because of the fact that it has been synchronized with music, has been fitted with sound effects and the characters are made to talk in several of the situations, its value as a mystery melodrama is naturally enhanced; it should appeal to the picture-going public better. There is no logic in the action in many of the situations. But the spectator is gripped, just the same, and at times is made to hold his breath. In the closing scenes, where Montagu Love undertakes to solve the mystery of a murder and of subsequent disappearances of persons, one feels quite a little excitement; when at a signal the lights are put on, and the sets draw back so as to clear the room, the villain is found in the casing of an old clock, with a queer-looking mask on his face. The excitement continues as the villain escapes and runs up the stage rigging and climbs the walls of the theatre in an effort to escape capture.

There are other situations where the spectator is made to hold his breath. But all is not excitement and thrills; the picture is full of comedy, the result of good acting and of cleverly constructed situations.

The locale is an old theatre, which had been closed for years, because of the murder of the leading man during one of the performances. A friend of the murdered man is determined to find the murderer, and in order to put himself in a position to do so he decides to reopen the theatre with the old company. The heroine and her young sweetheart are suspected of the murder. Toward the end, however, the murderer is caught; he confesses that he had been put up to it by one of the stockholders of the company that owned the theatre; his object was to force the other stockholders to sell their shares for nothing.

The plot has been founded on the play by Thomas F. Fallon. The picture was directed by Paul Leni. Others in the cast are: John Boles, Roy D'Arcy, Bert Roach, Margaret Livingston, Mack Swain, Burr McIntosh, Carry Daumery, George Summerville, Charles K. French, Fred Kelsey, Tom O'Brien, Harry Northrup, and others.

TAKE NOTICE OF THIS

Since the advent of talking pictures it is almost humanly impossible to get the accurate footage of the features. One day they give me one length, and the following day they recall it, giving me another length. Most of the times they don't know themselves how long each kind of print is.

Remember that the length of the silent print usually is not as long as the length of the sound print.

As the "sound" or "talking" film is run at ninety feet per minute, to find the time such print takes to be shown, divide the footage (when you can get it) by 90.

I am giving you this information so that you may act accordingly.

LAST WEEK'S PINK SECTION

Instead of printing it on blue paper, the semi-annual index will now be printed on pink paper. This will make it easier for you to pick out the semi-annual index. The partial indexes will continue to be printed on blue paper.

Notice that along with the new title of a picture are given also the old titles. In the case of Fox's "Blindfold," the two older titles are given, "The Case of Mary Brown," and "Fog."

When you are notified that the title of a particular picture has been changed, inform this office of the fact.

An Analysis of the Reformed Exhibition Contract—No. 5

RULE III

This rule states how a complainant, exhibitor or exchange man, may bring a case before the arbitration board for trial. In former days, it was the practice of the secretary of the Film Board of Trade to notify the exhibitors' organization that a complaint was entered with the Film Board of Trade by a member of the board against an exhibitor, and the exhibitor that a complaint was entered by a particular exchange against him, but gave no particulars. The exhibitor was compelled, therefore, to present himself before the board without an adequate preparation of the case. This practice is still resorted to in some zones. An exhibitor should demand the particulars of the complaint before accepting full service. In case you asked for particulars and they are refused you, notify this office, giving the name of the complaining exchange, and its address.

6. This article stipulates that each side has the right to one adjournment. In other words, you may demand for once that your case be put off until the next succeeding meeting of the arbitration board, provided that you notify the Secretary of the Film Board of Trade or of the Exhibitors' Association to that effect at least three days before the day your case is set for trial.

7. This article (of Rule III) provides that in case the defendant fails to present himself before the arbitration board on the date his case is set, the arbitration board may render judgment by default, on the strength of Section 4A of the New York Arbitration Act, which reads as follows:

"SECTION 4A. *Enforceability of Award in Certain Cases.* Where pursuant to a provision in a written contract to settle by arbitration a controversy thereafter arising between the parties to the contract, or a submission described in section two hereof, an award has been, or is hereafter rendered, without previous application to the supreme court, or a judge thereof, as required by section three hereof, such award shall notwithstanding anything contained in section three hereof be valid and enforceable according to its terms, nevertheless to the provision of this section. At any time before a final judgment shall have been given in proceedings to enforce any such award whether in the courts of the State of New York, or elsewhere, any party to the arbitration who has not participated therein may apply to the supreme court, or a judge thereof, to have all or any of the issues hereinafter mentioned determined, and if, upon any such application the court, or a judge thereof, or a jury, if one be demanded, shall determine that no written contract providing for arbitration was made, or submission entered into, as the case may be, or, that such party was not in default by failing to comply with the terms thereof, or that the arbitrator, arbitrators and, or umpire was, or were not appointed or did not act, pursuant to the written contract, then and in any such case, he award shall thereupon become invalid and unenforceable. Where any such application is made any party may demand a jury trial of all or any of such issues, and if such a demand be made, the court or a judge thereof shall make an order referring the issue or issues to a jury in the manner provided by law for referring to a jury issues in an equity action."

It is manifest that this amendment applies chiefly to the motion picture industry. This makes me believe that it was introduced in the Legislature of this State by the lobby work of persons connected with the motion picture industry, either directly or indirectly.

But a lawyer friend of mine expressed a doubt that this law is constitutional; he believes that if it were tested in the courts, it would be declared unconstitutional. But as long as it is on the statute books, it stands, and the arbitration boards will render judgments by default. (I have been informed that many exhibitor arbitrators refuse to render judgments by default under any circumstances.)

This article provides also for the re-opening of a case wherein a default judgment was rendered, if the application for the re-opening of the case was made within seven days after the award was rendered, and if it sets forth grounds that the arbitration board may deem "reasonable."

RULE IV

This rule provides for the enforcement of awards. And the means provided for are what this paper has often called "sand bag" or "blackjack." Article 1 stipulates that the Arbitration Board shall notify the Secretary of the Film Board of Trade of the names of the exhibitors that have refused to submit a controversy to arbitration, or that have refused to comply with the decision of the arbitration board: he shall notify such board also of the maximum amount each distributor may demand of such exhibitor as "additional securities."

Before discussing the provisions of the articles of this rule, let me say that, in accordance with opinions expressed by reputable lawyers, a seller has the right to impose any conditions on the buyer (so long as these conditions do not break any law); but when two or more sellers, engaged in the same kind of business, adopt the same rules and conditions by common consent, then the act becomes conspiracy in restraint of trade. And as these arbitration rules have been adopted by the Hays organization commonly, their legality is questionable. It is the belief of these lawyers, in fact, that should an exhibitor against whom these conditions have been applied sue the distributors, he can get judgment. The distributors, as the members of an organization whose concern is to protect every member from "bad accounts," have the right to impose certain conditions on these "accounts," but not on existing contracts; only on contracts entered into after existing contracts have been played out. When they refuse to deliver pictures contracted for by an exhibitor, because this exhibitor has a controversy not with them but with one of their members, the matter differs; the act is illegal. And the evidence of the illegality of this act is the fact that no producer has ever made a test case of it; he always settles the dispute out of court.

Article 2 specifies that when the Secretary of the Film Board of Trade receives the information from the arbitration board about such exhibitors, he shall send their names to every member of the Film Board of Trade. This seems to be, as I see it, a blacklist. I am informed that the Film Boards have a pink paper that they send to all members, with the names of such exhibitors on. In other words, the members of the Hays organization resort to the "Pink Slip" method to force exhibitors to comply with their demands. The matter would not have been so repulsive if the arbitration procedure in this industry were fair. But it is not. The means they adopt, therefore, are the means of persons that have power to impose them. How long, however, they can continue applying them is another matter.

3. This article gives instructions to the members of the Film Board of Trade under what conditions they may demand the "additional securities."

It is rumored that the distributors have an "unwritten" law whereby an exchangeman that will serve an exhibitor whose name appears on the pink slip before he is cleared is barred from further employment.

5. This article provides the conditions under which the members of the Film Board of Trade shall resume service to the exhibitor.

6. This article provides for the punishment of a distributor that has refused to comply with the decision of the arbitration board. Cases have come to the attention of this paper in which exchangemen refused to pay to the exhibitor the amount of the award, or they offered to pay it in credit for another picture. It is necessary for you to have it clearly established in your mind that when a distributor fails to settle the award within seven days from the day it was entered, you can demand of the Film Board of Trade to impose the penalties on him provided for by this article.

There is just one thing that I desire to call your attention to about this Rule: Articles 1, 5, 6, and 7, start as follows: "The Secretary of the Board of Arbitration shall from time to time notify in writing the Secretary of the Film Board of Trade . . ." I have searched the arbitration rules from end to end but have failed to find any provision about a secretary of the arbitration board. Who appoints him? Who pays him? Whom does he represent? Of course the exhibitors do not appoint him and naturally do not pay him (directly). Therefore he cannot represent them; he can represent only those that give him his check every Saturday. That is why I told you often that this arbitration system is a farce, that its machinery is in the hands of the Hays organization, that it is used as a collection agency for the producers. By this I do not desire to imply that the producers have no right to make bad exhibitors pay their just debts; it is only the unlawful means they use that this paper condemns. Harrison's Reports is not in sympathy with contract violating exhibitors and will not defend them, for if it were to do so, these would be encouraged in their contract-violating acts. But between sympathizing with a contract violator on the one hand, and a lawbreaker on the other, I am always willing to fight for those against whom unlawful methods have been employed. The whole arbitration system, as practiced in this industry, is illegal, and if an exhibitor should resort to the courts for relief against awards that have been rendered against him unjustly, I am sure that he can get justice in every case.

(To be continued)

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No. 3

WHAT PRICE FILTH!

Mr. Will H. Hays was hired by the producers and distributors of motion pictures to cleanse the screen, to purge it of immoral themes. That is, at least, what the public was told at the time the producers hired him. It was in 1921, I believe, when William Brady, the head of the National Association of the Motion Picture Industry, the predecessor of the Hays organization, gave out the famous fourteen points, which put the producers into a hole, because those points admitted by implication that the screen was unclean and the fourteen points would help to cleanse it. As a result of that act, agitation against motion pictures by reformers with demands by them for censorship became the greatest. To suppress such agitation and to prevent the enactment of legislation became their one aim. Mr. Brady could not bring about such a result; he had tried but failed. Another man was needed, a person with national reputation. Hence the selection of Mr. Will H. Hays. Mr. Hays was a cabinet minister at that time, and naturally commanded respect among the greatest part of the American public, particularly among the church element, because of his church affiliation.

The truth of the matter is that, as subsequent events proved, the producers hired Mr. Hays to use him only as a window dressing; to make the reformers and the religious people believe that they meant seriously to cleanse the screen but really to continue their old practices, unmolested this time, because of the prestige of Mr. Hays.

Do you want evidence of it?

Look over the annual releases of pictures since Mr. Hays' entry into this industry and you will be convinced of this fact; you will find that there has been as much immorality in pictures as there was before his entry. The only difference is that today immorality is introduced more subtly, more "artistically," to use the language of the producers; the "message" today is concealed under the cloak of respectability and in lavish environment. Nevertheless, its influence to the young is just as demoralizing.

Not that Mr. Hays has been the cause of sex pictures—I doubt if he wants to see them produced himself; he simply cannot stop them, because the members of his organization will not listen to him. He bans books and plays; but that does not prevent the members of his organization from making pictures out of them just the same.

Fifty per cent. of the outstanding motion pic-

tures that are produced today are founded on a sex theme of some sort. And this percentage will not decrease, in spite of the fact that the producers, at every mention of screen immorality, point out to Mr. Hays as the symbol of screen purity.

Do you want proof of this?

Let us examine the facts! A great part of the inhabitants of the big cities are not, as we well know, averse to sex pictures; and as the producers own or control theatres in about eighty per cent. of the choice locations in the big cities, it is natural that they should want to make pictures that will draw in these theatres. But the "Bible Belt," "The Great Heart of America," as Mr. Richard Watts, the eminent motion picture critic of the New York Tribune, has called the Americans of the Interior, particularly of the rural districts, do not want this kind of pictures; the fathers and mothers of the future American generation do not want their children to see pictures of this sort. They have the right to object. But the producers, who, as said, own theatres in the choice locations in the big cities, say to them: "That is the kind of pictures you and your children are going to see, because that is the kind of pictures that make money for us." And these mothers and fathers, and millions like them in the big cities as well, voice their protest against such pictures by staying away from picture theatres, and causing their children to stay away from them, too. And the box offices of the theatre owners in those sections suffer, in spite of the fact that they are innocent parties.

Since the big cities like sex pictures and the small towns and the rural districts do not, the proper thing for the producers to do would be to let each section of the country have what it wants; the big cities could have their sex pictures, and the neighborhoods of big cities, the small cities, and the rural districts may have their clean pictures. But will they stand for such a policy? They will not! That is what, at least, experience has proved; they want the exhibitor to buy either all their pictures or none, in spite of the fact that some pictures of a group may be totally unsuited for his custom.

The producers do not want a change, despite the assertions of Mr. Hays to the contrary.

Do you want proof of it?

You know that last year a bill was introduced in Congress by Senator Brookhart to forbid the sale of pictures before they are made and to

(Continued on last page)

"Taxi 13" (PT)—with Chester Conklin*(FBO, Nov. 18, 5,760 ft.; 66 to 82 min.)*

This is neither funny enough to be called a comedy nor serious enough to be called a drama. There are spots where the spectator gets a few laughs and Mr. Conklin's pathetic attempts to make his large family happy arouse some sympathy. But on the whole it is not a particularly good picture.

The story revolves around the owner of a taxi with license No. 13, who had thirteen children and who believed thirteen was his lucky number. His oldest daughter, tired of being nagged for coming home at all hours, though in love with a young detective (hero), moves to the home of a crook that had fallen in love with her. The crook had arranged with her father to have his cab on the scene of a robbery for which he was to receive \$100. But the crooks were pursued by the police. They hid the jewels in the old cab and the chauffeur did not get his money, thus disappointing his family. With a passenger who had the gout, the old cab is entangled in a fire engine, and after a wild ride, which had moments of suspense, the cab is wrecked and bought up by a movie company. The hero learns that the jewels are in the cab. And just as it was about to be blown up, the jewels conveniently fall into the hands of the old taxi-owner.

The picture was directed by Marshall Neilan from a story by Scott Darling. Martha Sleeper is adequate as the heroine. Hugh Trevor is a likeable hero.

Note: This was reviewed as a silent picture.

"The Case of Lena Smith"—with Esther Ralston*(Paramount, Jan. 19; 7,229 ft.; 84 to 103 min.)*

Persons that want to cry will have a fair chance in "The Case of Lena Smith"; for Miss Ralston, as the mother (heroine), whose child is torn away from her, and who uses a mother's ingenuity to get possession of it again, is indeed a tear deserving mother. The whole picture is interesting because of the good direction in addition to the good story material. The directorial style is different from the style of other American pictures; it follows a great deal the German school, the mood being somewhat the kind one feels in mystic plays. The only "slip-ups" are in the first part of the film, where the action is not very clear. For instance, the spectator does not know that the heroine had been married to the dashing Austrian officer, and therefore when he sees her working in the young officer's father's house he does not feel what he should have felt had he known it. Likewise when the servant sees her at the amusement park and looks at her smilingly, one does not know that there is any meaning in that smile; the smiling person is, as we are told afterwards, a servant of the young officer's father, where the heroine had been working; that the father was a Director of Public Morals; that the heroine had not told any one that she had been married to the officer and that she had had a child with him; that she had been hiding the fact that she had been married to the young officer because he would have been disgraced for marrying a peasant girl; and that, when the servant saw a child with her, he would have gone back to his master and told him about it, causing her to lose her job, as it really happened, because he thought the child was illegitimate and she an immoral woman. Had one been acquainted with all these facts, one would have known what his smile meant, and consequently one would have felt great concern for the fate of the heroine.

The story opens in a Hungarian village just after the Austrians declared war against the Servians, and shows a Hungarian telling another Hungarian that he would have given anything to keep a particular young man from going to war. The story then shifts twenty years back, and shows why he had been prompted to make that remark. It tells that this man had loved the heroine. But the heroine, wanting to put an end to her drudgery in the farm, goes to Vienna. In Vienna a young Austrian officer is attracted by her beauty and approaches her. After a short courtship they marry. But they keep their marriage a secret, for fear that the young officer would have been disgraced. They have a boy. Four years later the hero causes the heroine to be employed in the house of his father, Director of Public Morals. One day she is seen in an amusement park with a child by a servant, who tells his master about it. As a result, she is discharged and her child is taken away from her, as an unfit person to rear him. The institution demands the deposit by her of one thousand Crowns as an assurance that she would rear her child properly.

Her old sweetheart comes to her from Hungary. When he hears of her predicament, he hands her seven hundred Crowns, his life's savings. But as it wasn't enough, she goes to her husband for the rest. He has no money. When he learns that that she had seven hundred Crowns, he takes them away from her, promising her to have the sum complete the following day by gambling. As he had lost the money, when she calls on him the following day for it, he shoots and kills himself. At the Court Martial she is able to prove that the hero had committed suicide. The hero's father calls later and requests of the Court permission to cross-examine the heroine. He then learns that his son had married her. But he still thinks her unfit to care for the child. The heroine vows that no one can separate her from the child. Wanting to protect the dead officer's name from her indiscreet talk, the Court orders her arrest and imprisonment for six months. The heroine escapes, steals into the institution where her child was kept, takes him away and goes back to the Hungarian town, to the man who was waiting for her. They marry.

The action then shifts to 1914, showing the child drafted, and being separated from the mother, thus showing that she had sacrificed so much for him in vain.

Mr. Joseph von Sternberg has done excellent directorial work. The story is by Samuel Ornitz. Others in the cast are: James Hall, Gustave von Seyffertitz, Emily Fitzroy, Fred Kohler, Lawrence Grant and others.

"The Rescue" (S)—with Ronald Colman*(United Artists, Jan. 12; Syn. 7,980 ft.; sil. 7,698 ft.)*

Like Jack London's novels, Joseph Conrad's works are masterpieces of literature, but they are not very good screen material. Only that they are a little better than Jack London's. As I have not read "The Rescue," I don't know how much liberty the director or the scenarist took with it, how much he has changed it. But from the dramatic point of view, there are several faults in the screen plot. For instance, the hero, captain of a frigate, goes ashore in India to superintend some of his crew in filling their kegs with water. They are attacked by the natives and their lives are placed in danger when the Maharaja (whose palace was conveniently near the scene of the fray), aims with his pistol and shoots, killing the hero's assailant and putting the other natives to flight. The natives are incensed that their ruler should have defended whites, killing one of them, and they revolt. The Maharaja, to save his life, flees with his sister and boards the hero's ship. The hero tells the Maharaja that inasmuch as he had lost his kingdom because of him, he would do all he could to help him regain it. He takes him to another Maharaja, in a neighboring kingdom, who was under an obligation to the hero for having supplied him with ammunition and saved his kingdom from a band of dangerous brigands. The Maharaja pledges his support. Later on the hero meets the heroine and her husband on their yacht, which had been stranded, and in time becomes infatuated with her and forgets all about his plans to help the Maharaja reclaim his kingdom.

This is in violation of the fundamental laws of the drama, in that the hero sets out to do something and fails to do it.

His failure to carry out his promises leads to another violation of the laws of the drama; the Maharaja is shown toward the end being blown up with his sister to atoms when one of the hero's men ignited the powder in a big hulk that was loaded with guns and ammunition so as to save it from falling into the hands of the brigand leader. Thus the hero's benefactor is shown losing his life by the failure of the hero to carry out his original plan. This naturally makes him lose considerable sympathy.

Still another defect is the fact that the love affair takes place between the hero and a married woman, who is shown as not being faithful to her husband, and who cares nothing about morals so long as she gets the man she wants. This is contrary to the prevailing moral code, and therefore fatal.

There is no fault to find with the direction; it is faultless. The acting, too, is good. Lily Damita, the young woman who has been imported by Sam Goldwyn from abroad, has an unsympathetic part. Alfred Hickman, Theodore von Eltz, Job Davidson, Philip Strange, Bernard Siegel, Sojin, Harr Gording, Laska Winters, Duke Kahanamoku, Louis Morrison, George Rigas and Christopher Martin are in the supporting cast.

Those who enjoy adventure stories should like "The Rescue" well. But it is doubtful if it will be a big box office success.

"A Single Man"—with Lew Cody, Alice Day and Aileen Pringle

(M-G-M, Jan. 12; 5,595 ft.; 65 to 80 min.)

This is a light comedy; the laughs should be more pronounced if the house should happen to be full. It is a story in which there is quite a great deal of flirting going on, and young women appearing in tight bathing suits, at times very tight. The principal action shows the hero "falling" for young women and joining their company when in the first part of the story he was shown as avoiding them, as not wanting to have anything to do with them; he seemed bored. It is, of course, the attractiveness of a particular young woman (impersonated by Alice Day), that makes him change front. But the end shows the hero (Lew Cody) marrying his secretary (Aileen Pringle). She had gone away and come back dressed in the best frock creation. This so changed her appearance that even he himself could not believe his eyes; she showed such attractiveness that he gave up the young woman he kept company with and married her.

While "A Single Man" has some flavor of "Dancing Daughters," it is not offensive, except perhaps in one title, where Marceline Day is made to say to the hero, "You big caveman! I bet you are a terror when you are aroused," the meaning of her expression being too plain, even to very young girls. Dramatically, the picture is not strengthened by this subtitle; it serves only to excite the sexual passions of young folk.

The plot has been founded on the stage play by Hubert Henry Davis. The picture was directed effectively by Harry Beaumont, from a screen play by Hugh Herbert and George O'Hara. Others in the cast are: Edward Nugent, Kathlyn Williams and Eileen Manning.

"The Jazz Age"—with Douglas Fairbanks, Jr. and Marceline Day

(FBO, Feb. 10; 6,245 ft.; 72 to 89 min.)

Just another tale of the wild younger generation, who stage booze parties, pet, and in general misbehave until they are brought to their senses by near calamities, which they bring upon their families. Douglas Fairbanks, Jr., (hero) is pretty good as the son of a poor lawyer and councilman, in love with the daughter of a traction magnate. Miss Day is a "peppy" heroine, who loves the poor hero, and who helps make a man of him when he got in trouble. Henry Walthall arouses sympathy for his failure to realize his inability to make his children respect him because he is old fashioned though honest. Myrtle Stedman is pleasing as his wife and Gertrude Messinger is the wild younger sister, who is saved from being too wild by her brother, the hero.

One scene in the last reel is rather tense as the hero, who had wrecked the magnate's trolley car, was wanted by the police. He knew that his father did not want to give in by refusing to expose the graft and that it would mean his arrest; yet with the aid of the heroine, he arrives in time and surrenders himself so that his father might talk and so save the honor of the family.

The picture was directed by Lynn Shores from a story by Paul Gangelen.

"A Lady of Chance"—with Norma Shearer

(M-G-M; Dec. 22; syn. 7,126 ft.; 82 to 100 min.)

Only a fair program picture. It is entirely too long. This makes it drag considerably. Miss Shearer acts well. One hardly expects, however, Miss Shearer to play the part of a crook, having always been in "nice" girl roles. But she is a lovable crook and reforms when her love for the hero makes her decide to give up the crooked life she was leading. Lowell Sherman (villain), and Gwen Lee, husband and wife, as her accomplices in their badger game, are quite good, too. John Mack Brown is pleasing as the poor boy (hero), who was a cement manufacturer, and who became wealthy as a result of his invention.

A crook, known as "Angel Face," blackmails her victims, men whom she lures to her apartment and from whom she demands hush money when they are found by her supposed husband. When the villain cheated and did not divide the last haul, the crook robs him and leaves the gang, only to be pursued by them even after she had married the hero whom she thought to be wealthy and whom she intended to fleece. But having fallen in love with him, she decides to go straight and has a hard time convincing her gang that she is really poor. When

the crooks overhear the conversation in which the hero tells the heroine that his invention was really valuable and that he had made much money, she finally confesses her past to him so that he might be saved from further annoyance from them. She gives herself up to the police and her husband has her paroled in his custody.

The picture was directed well enough by Robert Leonard from the story "Angel Face," by Leroy Scott.

Note: The synchronization is poor in spots, singing and noises being somewhat misplaced.

"Tropic Madness"—with Leatrice Joy

(FBO, Dec. 9; 6,324 ft.; 77 to 90 min.)

A pretty good South Sea melodrama, rather fanciful but well acted by Miss Joy and directed by Robert Vignola.

The story revolves around a young matron, whose wild life caused her husband to commit suicide, after he had sent their baby, a few weeks old, far away to a tropical island. The heroine, determined to give up her old life, devotes it to trying to find her baby. And after six years of fruitless search, she finally locates him but is unable to tell him who she is, because the man (hero) who had raised him had hated the thought of her.

There are many tense scenes, such as one in the derelict doctor's house, where the heroine had been lured because he threatened to tell the hero who she was if she would not love him. Another is where the natives, incited by the native girl, because her white sweetheart (the doctor) had neglected her, offer the child's life as a sacrifice to their gods and the mother offers to take his place. An earthquake scares the natives away and the heroine, in a dazed condition, grabs the child and wanders around till they are found by the hero, who had in the meantime found out from the doctor who she was. But he had fallen in love with her and so they were united.

Albert Valentino is a pleasing hero. George Barraud is quite good as the villain. Lena Malena makes a good native girl. The story is by Ramon Romeo.

Note: This is a star substitution; Anna Q. Nilsson was promised as the star, Leatrice Joy is being delivered.

"Taking a Chance"—with Rex Bell

(Fox; Nov. 18; 4,876 ft.; 56 to 69 min.)

Rex Bell's pleasing personality makes this an amusing Western, more comedy than melodramatic. This time he is a magician, he joins forces with a traveling clergyman, so that they might make easy money. He falls in love with the heroine, who had turned bandit, when the villain who had robbed her dead sister's child, refused to give back the money. The hero, learning of the circumstances, forces the villain to surrender when he tells the townspeople that he is really a crook instead of an honest sheriff.

The picture is based on Richard Bret Harte's story "The Saint of Calamity Gulch." Lola Todd is a pleasing heroine. Billy Watson is an attractive child; he brings hero and heroine together. Others in the cast are Richard Carlyle, Jack Byron and Martin Cichy. Norman McLeod directed it.

Because of its rather youthful theme, it should please children greatly.

BEWARE OF SYNCHRONOUS DEVICES

Before investing your money on this, that, or the other synchronous instrument, be sure that you do not buy a pig in a bag. Many of such instruments are being offered at very low figures; but that does not mean that they will do the work. You may buy such an instrument and after installing it you may find out that it does not do the work, and that you have to scrap it.

The reason why I have not yet reviewed any of the independent non-synchronous instruments is due to the fact that an instrument may work in the "parlor" but fail in a theatre. An exhibitor in Brooklyn has installed one such instrument but has ordered it out because it makes too much noise; it is heard from the outside. I am not mentioning the name of this instrument because I have not yet attended a performance to examine it myself; and I don't want to condemn it on someone else's statement, however reliable that someone may be. It would not be fair.

The important thing for you to do is to make sure that you will have talking pictures to run before installing a talking picture instrument.

sell them in a group. If this bill had been enacted into a law, it would have ended agitation against motion pictures with the consequent reaction to the box office, because it would make the exhibitor in each locality responsible to his public for the character of pictures he would show. Under such a law, he could no longer find an excuse why he would not be showing the pictures his customers wanted.

But what happened? The producers fought this bill savagely. Mr. Hays himself did the fighting, through his lieutenant, C. C. Pettijohn; he moved heaven and earth to prove to the Senate Committee on Interstate Commerce that this bill would ruin the motion picture industry. Thus we found ourselves before the strange sight of a great church leader fighting a bill that, if it were enacted into a law, would have put the moral quality of motion pictures on a higher level, a thing which would have been the answer to the prayers of millions of mothers. He fought as savagely, through his lieutenants, at the Trade Practice Conference, too, where a proposal was made to abolish block-booking.

Let the industry beware! Unless it puts through reforms of its own volition, reforms will be forced on it from the outside. And history has proved that when reforms are forced upon an industry from the outside, they often become obnoxious, and even crushing. If the selling system is not changed, making it possible for the big cities to have their sex pictures and the rural districts their clean pictures, there is bound to be Federal censorship. The only pitiful part about it will be that we shall have censorship but no improvement in the quality of pictures: censorship does not make for improvement; it retards it: it does not help art; it stifles it. We shall thus be compelled to pay the price of the present filth but shall receive no benefit in return.

P. S. HARRISON.

WHAT IS ART?

All the great dramatists state that death in drama must be justified. In other words, when the protagonist must kill a particular character, that character must by his acts deserve death. Likewise any great punishment inflicted by the protagonist on any of the characters must have justification in the deeds of him who is punished.

In "West of Zanzibar," the protagonist (Lon Chaney) feels that he had been wronged greatly by the villain of the piece; his wife had disappeared, and because he believed that she had run away with the villain, he plans to "get even" with him.

According to the laws of the drama, the punishment should have been visited on the villain. But what happens? Lon Chaney takes an innocent child, a girl, and puts her in a dive in Zanzibar, so that, by destroying her virtue, and by causing her to contract an unspeakable disease, he might have his revenge.

But what had the little girl to do with the wrong, even if she were the offspring of an illi-

cit union of his wife and of the villain, which she is not? She had done nothing to deserve the horrible punishment. So the construction of the plot does not follow the laws of the drama, and therefore "West of Zanzibar" is not a piece of art.

It is not the cruelty and the horribleness of the act that makes the picture repulsive; in Gouxneur Morris's "Behind the Door," produced by Famous Players-Lasky several years ago, an act more cruel than this was committed and yet it was not repulsive to the spectator; the villain was skinned alive by the hero. But the act was justified; the villain had done so great a wrong to the hero that the spectator did not revolt at the thought of seeing such a punishment visit him.

I am giving you this opinion so that the distributor may not induce you to play this picture under the pretext that it is a piece of art.

FRANK REMBUSCH'S GLASSES

Frank Rembusch, the great publicity hound from Indiana, has issued a statement in the trade press condemning the Brookhart Bill.

Since Frank received \$22,000 to settle out of court his case against a number of producer-distributors, members of the Hays organization, his glasses, or his eyes (I don't know which), have grown dim; he can no longer see the Brookhart Bill. At the hearing of this bill by the Senate Committee on Interstate Commerce, his glasses, and his eyes, were one hundred per cent. perfect. I heard him tell Senator Watson, Chairman of the Committee, that he could get no film at all, and that the enactment of the Brookhart Bill into a law was essential if he were to keep his theatres going. But Frank has changed his mind. And he, as a free American citizen, has a perfect right to change his mind whenever he feels that it needs changing.

Let Frank's change of mind, however, not cause you a sleepless night; for Frank, despite all the publicity that has surrounded his name, has no power, for the reason that he has no following; he has been a leader without "lead"; a general without an army. The real organization in Indiana is Associate Theatre Owners of Indiana.

I have yet to see Frank do a single constructive thing; all he has done for all these years of his connection with organizations is to change his mind and to shout. Frank is liable to start talking to exhibitors about the need of organization and end urging them to join the Chinese revolution.

There is just one man in the ranks of the producers that deserves our thanks for helping us to distinguish the goat from the sheep; it is our old friend C. C. Pettijohn. Behind this act of Frank's, we see shadowed forth the form of Pettijohnism, its hand stretched out for the purpose of obstructing the progress of Mr. Myers, the new independent exhibitor leader. But in vain!

In my opinion, Frank has been a liability to the organized cause rather than an asset. Good riddance!

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1928-29 SUBSTITUTIONS—ARTICLE NO. 2

Fox

The number given with each feature is the number that was given by the Fox Corporation on the Work Sheet.

"Dry Martini" (No. 26), "Me, Gangster" (No. 24), "Mother Machree" (43), "Romance of the Underworld" (No. 1), and "Prep and Pep" (No. 6), were analyzed in the article that was printed in the December 15 issue.

"WIN THAT GIRL" (No. 2): In the Fox Annual Announcement, insert of which appeared in *Exhibitors Herald and Moving Picture World*, issue of June 2, William Conselman was given as the author; and as the plot of the finished product has been founded on an original story, "Father and son," by James Hopper, it is a story substitution. The Work Sheet had the following statement on this picture: "Here's one with box office topnotch entertainment written all over it. . ."; but here is the opinion I gave of the finished product in my review, which was printed in issue of October 6: "If Fox were to take this picture out in the offing, tie a rock around its neck, and sink it in deep waters, he would do the most charitable act he has ever done in his life. . ."

"RILEY THE COP" (No. 29): This is not a substitution.

"BLINDFOLD" (No. 8): The original title was "The Fog." No description of the story was given in the Work Sheet, but Charles Francis Coe was given as the author; and since "Blindfold" has been founded on a story by the same author, it is not a substitution. At one time, "The Case of Mary Brown" was given as the title of "The Fog." But as no particulars were given for "The Case of Mary Brown," there is no way whereby we could make comparisons to enable us to tell whether it is a different picture or not.

"HOMESICK" (No. 9): This picture was sold with Sammy Cohen and Jack Pennick, to be directed by Benjamin Stoloff, but is being delivered with Sam Cohen and Harry Sweet, and has been directed by Henry Lehrman. It is a star and director substitution.

"RED WINE" (No. 17): Considerable juggling has been done by Fox in this picture. The original contracts gave No. 17 to "Husbands Are Liars," and No. 21 to "Red Wine." No. 17 has now been given to "Red Wine." Fox now says that the two titles, which originally were listed as two different pictures, are the same picture. I doubt if even Houdini, were he alive, could have made any one believe it.

Those of you who bought both "Husbands Are Liars" and "Red Wine" and are being offered "Red Wine" in place of "Husbands Are Liars" are not obligated to accept it, for the reason that, since the two pictures are contained in your contract as two different pictures, one cannot be the other. The fact that "Husbands Are Liars" was described in the Work Sheet as "A sure-fire domestic comedy drama of suspicious wives and husbands. . .," whereas "Red Wine" is the story of a husband whose actions recur with clock-like regularity, is another proof that they are not the same picture and that, consequently, you are not obligated to accept it, not mentioning the fact that there is a substitution of stars: Edmund Lowe, Earle Fox, and Marjory Beebe were promised with "Husbands Are Liars," but Conrad Nagel, Sharon Lynn, and Arthur Stone are being delivered with "Red Wine."

Nor are you obligated to accept "Red Wine" even if it is being delivered to you as the picture you bought with the same title originally, for the "Red Wine" you bought was to be "An intoxicating story of the social whirl; rich, spicy, daring and glamorously vibrant with burning lips

and hearts ablaze," and was to have Lola Salvi and Ben Bard in the cast, whereas the "Red Wine" Fox is delivering is, as said, a story of a husband whose actions recur with clock-like regularity, and has Conrad Nagel and Sharon Lynn in the principal parts.

"THE GREAT WHITE NORTH" (No. 7): In the Fox Annual Announcement, insert of which appeared in *Exhibitors Herald and Moving Picture World* of June 2, this picture was described as: "Strong Drama in the Great White North!—Shipwrecked . . . frozen . . . starved—one man, an Eskimo, has it in his power to save five shipwrecked Americans. His price is the engineer's daughter, played by June Collyer. But Mary Duncan, in the role of a stranded and desperate vaudeville actress, goes to his igloo to sacrifice herself. In a battle of wits, she wins food, safety, honor, life.—Strong fare with a strong cast: June Collyer, Mary Duncan, Charles Morton, Ivan Linow, Ben Bard."

In the May 29, 1928, Work Sheet, this picture was described as, "An Extraordinary gripping story of Arctic Adventure with a cast of youth, personality and charm at its most charming best." Lew Seiler was given as the director, and June Collyer, Mary Duncan, and Charles Morton as the cast. The same description, with the same director and cast, was given in a Work Sheet of a later date.

The "Great White North" that is being delivered is nothing like what was sold you. It is merely the photographic record of an expedition in the Arctic to find traces of the explorers that were lost on Herald Island ten years ago, when they were separated from the Steffanson Expedition. (It was reviewed in HARRISON'S REPORTS of August 4, under the title "Lost in the Arctic.")

This is the rawest substitution that I have seen during my years of connection with the moving picture industry, in that other substitutions were at least dramas, or comedies, but never a travelogue, such as this substitution is. You are not obligated to accept it. Had it been released at the time of the Noble North Pole Expedition, when the interest of the public was tense, it might have drawn some money. But it was not, and is worth very little now, for it is the kind of picture that pleases only picturegoers that like travelling.

"CAPTAIN LASH" (No. 34): In the Fox Annual Announcement "Captain Lash" was described as "A Mississippi Romance by Charles Francis Coe." John Ford was to direct it, and Victor McLaglen was to appear in the leading part.

In the Fox Work Sheet of June 4, it was thus described: "Directed by the maker of "Four Sons" and "Mother Macchree" and with an all-star cast. This opus is based on a story aboard river boats and ashore along the lower Mississippi, written by Charles Francis Coe." Victor McLaglen, June Collyer, and Farrell Macdonald were given as the principal players.

The finished product, however, has no resemblance whatever to the original picture. According to the Fox press-sheet, "An ocean liner is about to sail from Sydney to Singapore. Captain Lash, a huge bulk of a man so-called because, in the figurative sense, he uses a whip in handling his gang of firemen on the vessel, arrives at a dock after riotous time ashore with his pal, Cocky. A strikingly pretty blonde girl—Cora Nevins—alights from a car and goes up the gangplank. She attracts the attention of Captain Lash, who never has seen such a trim pair of ankles—never, in fact, has seen such a dainty young woman, used as he is to lovemaking and fighting in harbor brothels. . . ." It is a long way from Mississippi to Sidney and to Singapore, and

(Continued on last page)

"The Spieler" (PT)—with Allan Hale and Renee Adoree

(Pathe, Dec. 20; Synchr., 5,816 ft.; Time, 60 min.)

Horrible! One man's neck is broken at the opening of the film, one is shot to death by a shotgun while he is performing on a tight wire (he is a tight-rope walker in a circus) near the end, and in the closing scenes, the supposed-hero clubs three or four persons on the head and breaks the neck of the villain. The hero took this means to prove to the heroine that he loved her with all his heart, and that he had reformed, giving up his crooked career. Even without this bloody carnival, the picture would not have pleased, for the reason that the hero is a crook during the five reels, his reformation taking place only in the last reel. No one should expect the average picture-goer to forget in a short time what a despicable character the hero was for a long time. There is nothing in the picture that would arouse one's sympathetic interest; neither the hero, nor the heroine, nor any other of the characters do anything worth while.

The opening scenes show the hero (Allan Hale) and his pal (Clyde Cook) serving time. Upon their discharge they decide to go to a woman, the heroine (Renee Adoree), conducting an honest circus, and, by posing as honest men, to try to get a job; they hoped that in this manner they could carry on their crooked work unmolested by the authorities. The heroine engages them, and they carry on their work of picking pockets. The leader of the gang (Fred Kohler), who had been following the circus and was robbing people under the guise of an owner of concessions, happens to be an old friend of the hero. This villain has one of his men shot to death because he had threatened to squeal. The heroine catches the hero employing old circus tricks to rob people with and her heart is broken, because she, thinking him different, had learned to love him. The hero feels sorry and asks her to give him another chance. He decides to go straight, and makes his pal go straight, too. The pal overhears the villain planning the financial ruin of the heroine. The villain sees him eavesdropping and decides to have him killed. He whistles and his gang gathers for the killing. Being a tight-rope walker, the pal, to escape death, climbs a rope. But the villain shoots and kills him in cold blood with a gun from the shooting gallery. The hero hears of his pal's death, and guessing who had caused it goes after the villain. The villain, seeing him approaching, gives the signal and his men start closing in on the hero. The hero grabs a club and as the villain's men approach him hits them on the skull and drops them. He then grapples with the villain and, by a jiu jitsu trick, raises him over his head and drops him on the ground, breaking his neck. The heroine then realizes that the hero has really reformed.

Hal Conklin wrote the story; Tay Garnett directed the picture. There are some talking sequences. The music synchronization is good.

"The Spieler" is not an entertainment; it is a slaughter house.

NOTE: On the Pathe Work Sheet "The Spieler" (9517) is described thus: "Cast includes Alan Hale and Jacqueline Logan. Original story by Elliot Clawson. . . ." Since the story of the finished product has been written by Hal Conklin, it is a story substitution. It is also a star substitution in that Jacqueline Logan was promised and Renee Adoree has been delivered. You don't have to accept it.

"Marquis Preferred"—with Adolphe Menjou

(Paramount, Feb. 2; 5,506 ft.; 64 to 78 min.)

This is a light comedy. The first two-thirds, in fact, are somewhat tiresome for picture-goers that have been accustomed to seeing pictures with action. It presents the hero as an impoverished count, who is hunted by his creditors. His faithful servants decide to find a wealthy wife for him so that the hero might be enabled to pay his debts to them as well as to all other creditors. In order to make the agreement binding, they incorporate and make the hero sign an agreement to that effect. Accidentally the hero becomes acquainted with the heroine, social secretary to a newly-made-rich American family, visiting Paris, and becomes attracted by her beauty. But the stockholders of the company would not permit him to engage in any love affairs because of his agreement with the company. The American family has a daughter, and the parents hope for a match between her and the hero. The heroine learns of the hero's fortune hunting activities and turns against him. The hero, in order to prove to her that he loves her with all his heart, marries the wealthy girl, but before the marriage tells her that he does not love her. The wealthy girl

wants him as a husband just the same, because of his title. After the marriage he tells her that since she got the title she ought to be satisfied. So after his debts are paid he goes to America, where he gets a divorce. He obtains a position as a clerk in a book store. Accidentally he and the heroine meet again, never to be separated.

The last scenes appeal somewhat to the emotions of sympathy.

The plot has been founded on a story by Ernest Vajda. It has been directed by Frank Tuttle. Nora Lane, Chester Conklin, Dot Farley and others are in the cast.

"Naughty Baby" (S)—with Alice White and Jack Mulhall

(First Nat., Dec. 16; Syn., 6,360 ft.; Sil., 6,406 ft.)

A pleasing little romance between a young man and a young girl, instead of between a grandfather and a grandmother, as is often the case with the age of actors in pictures. The action is pleasing; the acting of Miss White is comical; the personality of Mr. Mulhall is so pleasing that he adds cheerfulness to the picture. The story is that of a young girl (heroine) checker in a coat room at a hotel, who hears of a young wealthy Bostonian's lavish expenditures of money on girl friends and determines to get acquainted with him in some way. Her three young friends provide her with the means with which she accomplishes her object. The young heroine poses as a society girl, but the hero knows what she is. Nevertheless, he becomes fascinated with her. Towards the end, the hero is shown being in trouble; his checks, which he issued to the hotel in payment of his debts, are returned by the bank unpaid. The heroine overhears a conversation between a gold-digger and a friend of hers planning to compromise the hero by inducing him to take her into another state and then forcing him to marry her. She apprises the hero of the plot. The hero's father appears at the hotel and reprimands the hero, informing him that he had ordered his allowance cut off so as to bring him to his senses. The hero tells his father that he had already come to his senses, as he had found the girl that would make the best wife for him.

The story is by Garrett Fort. Mervyn Leroy has directed it. Thelma Todd, George Stone and others are in the cast. The synchronization is very good. The sound effects are good, too. In one particular situation a musical instrument of some kind is employed to imitate the three friends of the heroine calling her—she had been lost by them while on the beach swimming. This is very effective as a laugh producer, in contrast to real voices often employed in pictures, producing the opposite effect.

"The Little Wildcat" (PT)

(Warner Bros., Jan. 5; Syn., 5,644 ft.; Sil., 5,161 ft.)

Take the talk out of it and you will have a nice little picture of the program grade. The talk adds something to the entertaining values, but not enough to make the picture outstanding. Whatever comedy values it possesses, they have been endowed to it by George Fawcett, who takes the part of a cranky old Southerner; he is grouchy all the time. Mr. Robert Edeson, too, contributes considerably to such values. The appealing qualities are imparted to it not by Audrey Ferris, whom Warner Brothers evidently tried to thrust into the picture, but by Doris Dawson. This does not mean that Miss Ferris does bad work, but that the part of Miss Dawson is more sympathetic, and that she is a good actress. The talking sequences are between George Fawcett and Robert Edeson.

In the story Robert Edeson is presented as having been a Colonel in the Confederate Army, and George Fawcett as having been a private under him. But fortune so had it that Robert Edeson became impoverished in his old age, and George Fawcett had made a million. He had engaged Robert Edeson to keep him company and to amuse him. Audrey Ferris and Doris Dawson are presented as grandnieces of George Fawcett. Audrey Ferris is a little wild cat, and wants to have what Doris Dawson wants. She is engaged to Hallam Cooley, but when her sister meets James Murray and falls in love with him, Audrey Ferris wants to take him away from her. This leads to some complications, and to a hotel, where Mr. Fawcett went to shoot and kill James Murray for having, what he had thought, compromised his grandniece, Doris Dawson. A marriage results between each pair of lovers.

The plot has been founded on a story by Gene Wright. It was directed by Ray Enright. The music of the synchronization is very good. Soft music is given during the talking sequences. This annoys the spectator somewhat.

Not a substitution.

"In Old Arizona" (AT)—with Star Cast

(Fox, Jan. 20; Synchr., 8,724 ft.; Time, 97 min.)

CRITICISM OF THE SILENT PICTURE: There are several reasons why this picture will not have a great appeal to the majority of the picture-goers. One of them is that the action is so slow that it becomes boring at times. The other is that there is no honest-to-goodness love interest; the love affair is between an outlaw and a fickle woman, a woman that did not hesitate to betray for money the outlaw, who loved her passionately, to the military man that had been detailed to get him, dead or alive. The other reason, the most important of all, is the fact that a woman (heroine) is shot and killed. No American picture-goer, whether he be a child, a woman or a man, can stand seeing a woman shot and killed, in real life or in drama.

Only one thing stands out in this picture; the acting of Dorothy Burgess. Miss Burgess is a stage actress, and this is her first screen work. But she has eclipsed many a veteran screen actress. If the picture is worth anything, it will be due to her acting.

Mr. Warner Baxter, too, does excellent work as the outlaw; in fact it is the best work of his screen career.

While it cannot be said that Mr. Edmund Lowe does better work than he did in "What Price Glory," he does excellent work just the same.

Others in the cast are: Farrell Macdonald, Ivan Linow, Fred Warren, Roy Stewart, and others.

The picture has been directed by Raoul Walsh and Irving Cummings. The plot has been founded on the O'Henry short story, "The Cabalero Way." It deals with an outlaw, who loves a senorita with passion. The hero, a sergeant, is detailed to capture this outlaw. He becomes acquainted accidentally with the outlaw's sweetheart (heroine). By promising to give her the reward that was on the outlaw's head, the hero induces the heroine to cooperate with him in his capture. The heroine sends a note to the hero asking him to go to her shack at a certain time of that night. The note falls in the hands of the outlaw; he makes a new note inviting the hero to come, but telling him that the outlaw would be dressed in a woman's clothes. The hero arrives. The outlaw, with a broken heart, sends his faithless sweetheart out to her death. He then goes away.

CRITICISM OF THE SOUND: The Fox organization has been experimenting with talking pictures for nearly three years, but they seem as far behind in grasping the problems connected with sound as they would have been had they started just now. The recording of the talk and generally of sound is the poorest that has been seen in any talking picture so far. Warner Brothers have never recorded sound as inartistically. The director seems to have had the microphone placed near the passing stage coach, registering the noise the horses and the stage makes while near the microphone. But as soon as the stage rolled away from the microphone a few feet, all sound ceased. All through the picture the noise made by the sound track is like the noise made by old mill machinery running. The volume control—there was really no volume control; the actors spoke with stentorian voices; they outdid longshoremen trying to be heard above the din created by active winches, used to unload freighters. And what was left unaffected by the poor recording and reproducing, it was affected by the poor sound projection system of the Roxy. The Roxy uses, as you have already been told, the horn system of sound projection, and if one should happen to sit exactly opposite one of the horns, it will be necessary for one to plug one's ears with cotton. And no matter where one may be sitting, one cannot escape the metallic nature of the sound, caused by the use of the diaphragm-horn system of sound projection.

"The Man in Hobbles"—with Johnny Harron and Lila Lee

(Tiffany-Stahl; Dec. 20; 5,967 ft.; 68 to 84 min.)

A pretty good human interest comedy-drama of family life in which the spectator's interest and sympathy are aroused for the hero because of his troubles with his wife's family. It is a lesson to young brides not to let their families rule their lives and spoil their chances of happiness. Johnny Harron is splendid as the artistic photographer who had made a success of his business, and, after marrying a girl with a grafting family, is driven to despair. Miss Lee is quite good as the young bride who at first could not understand her husband's desire to be rid of her family, but who finally realized that she was losing the love of a fine husband because her family was dictating her life to such an extent that they they almost divorced her against her

knowledge so that they might be able to live on her alimony.

The picture, suggested by the Peter B. Kyne novel of the same name, was directed in an entertaining manner by George Archainbaud. Lucien Littlefield, as the sponging, lazy father-in-law is good, as is Betty Egan as the crying, domineering mother-in-law. Eddie Nugent, Fanchon Hart, Vivian Oakland and the rest of the cast, all do good work.

"Beware of Batchelors" (PT)—with Audrey Ferris and William Collier, Jr.

(Warner Bros., Dec. 1; Sil., 5,278 ft.; Syn., 5,778 ft.)

Not a bad farce comedy. Andre Beranger and Margaret Livingston do the best work, though Mr. Collier, as the doctor and hero, is pretty fair and Miss Ferris, as his wife (heroine), is adequate. It is not a side-splitting comedy; and it is not big enough for first-class theatres. Yet it is laugh provoking and good for neighborhood programs.

The story revolves around the efforts of a young married couple, three days short of being married one year, to remain together so that they might win the \$50,000 the hero's grandfather would give them on the anniversary day. His cousin, a perfume salesman, would get it otherwise, and to cause their separation, he persuades a go-getting camp to harrass the hero so that he would be compelled to leave his wife. Miss Livingston, as the vamp, pursues the hero and makes a thoroughly capable job of it. Andre Beranger, rather a sap, as the cousin, provokes laughs in his efforts to flirt with the heroine. When hero and heroine finally separate and go to the same hotel, but in different rooms; they are accidentally brought together in time for grandfather to find them and give the hero the check.

The picture was directed by Roy del Ruth from a story by Mark Canfield.

NOTE: The silent print was reviewed only.

A STATEMENT BY MR. ABRAM F. MYERS

Mr. Abram F. Myers, President and General Counsel of the Allied States Association of Motion Picture Exhibitors, has issued his first statement to the trade papers, outlining his policy and stating his aims.

It is a clean-cut, serious and thoughtful statement, without any tinge of boastfulness, but with enough implied meaning in every item to give the producers an idea that he means what he says and says what he means.

Lack of space prevents me from reproducing the entire statement, but I am glad to give you some extracts from it.

Under the heading, "Represents Exhibitor Interest Only," Mr. Myers says that his organization will be willing to co-operate with the other branches, but in matters in which the interests of the different branches of the industry conflict, it will speak and act only for the exhibitors. "There will be no departure," Mr. Myers says, "from this policy. The exhibitors, in looking to the Allied States for protection, will not have to distinguish between the voice of Jacob and the hands of Esau."

Under the heading, "The producers are on trial," Mr. Myers says: "The producers and their spokesmen have often voiced their concern for the welfare of the exhibitors and have expressed the hope that the exhibitors would perfect a strong organization with which they might deal." This is manifestly directed at Mr. Hays, who has often expressed such a wish, meaningless, as experience has proved. Mr. Hays will now have an opportunity to show whether he meant what he said or not.

Under the heading "Brookhart Bill," Mr. Myers endorses the Bill and states that he does not, and those whom he represents do not, want Government regulation, if the producers will sincerely endeavor to settle all serious problems with the industry, but intimates plainly that there will be an effort on the part of his organization to bring about regulation in the event the producers are obstinate. "The exhibitor would rather not be regulated," Mr. Myers states. "But as between remaining in business subject to regulation and being driven out of business for lack of regulation, they choose the former."

Interchangeability, Arbitration and Music Tax come under Mr. Myers' blow. These will be commented on in a forthcoming article.

This statement of Mr. Myers proves that the confidence the Allied leaders have placed in Mr. Myers has not been misplaced. And HARRISON'S REPORTS hopes that every independent exhibitor will become a member of the Allied States organization.

You have now found your man. Follow him!

a longer way yet from the Mississippi river front to the brothels of Singapore and of the rest of the Oriental ports. But such are the ways of the Fox Film Corporation—they have put the late Houdini to shame.

The story of the finished product has been written not by Charles Francis Coe, but by Daniel Tomlinson and Laura Hasse; it has not been directed by Jack Ford, "the director of 'Mother Machree' and of 'Four Sons,'" but by John Blystone.

It is a story and director substitution and you are not obligated to accept it.

"TRUE HEAVEN" (No. 30): The original title of this picture is supposed to have been "False Colors." "False Colors" is described in the Work Sheet as follows: "A Red Cross nurse doing humanitarian work in Belgium during the war is suspected of being a spy and accused and tried for treason." (Manifestly it was to be the story of Nurse Cavell.) William K. Howard was given as the director, and Lois Moran, Edmund Lowe, and Margaret Mann as the principal players. The same director and cast were given in the Annual Announcement Book. No author was given in either. The action of the finished product unfolds in Belgium, well enough, and deals with the same subject matter, but James Tinling has directed the picture, and George O'Brien, Lois Moran, and others appear in it. It is a star and director substitution and you are not obligated to accept it in accordance with the tenth clause of the contract, which forbids the substitution either of story, or of director, or of star.

"FUGITIVES" (No. 32): The original title of this one is supposed to have been "Wise Baby." The Fox Work Sheets describe it as "The story of a manicurist who learned enough about men from cuticles to avoid the hangnails and pitfalls of the great white way." James Tinling was given as the director. The finished product, however, is thus described in the Fox press sheet, which gives the facts about the finished picture: "Alice Carroll, a singer in a famous night club, the 'Black Pig,' is discovered in the office of Al Barrow, proprietor, who lies dead on the floor. Circumstances point to her as the murderess. She had just been engaged in a violent quarrel with Barrow, and had been discharged. . . ." It is a long way between the employment of Madge Bellamy as a manicurist, "who learned enough about men from 'cuticles'" to avoid hangnails and pitfalls, and as a singer at a night club, accused of murder. It is a theme substitution, and you are not obligated to accept it. It is a director substitution, too, since James Tinling was to direct it but William Beaudine has directed the finished product.

"The SIN SISTER" (No. 22): This is supposed to be the new title of "White Fury." "White Fury" is supposed to be the title given to "Broadway Sally," No. 22.

In looking over the Fox Work Sheet, I find that the following description is given of "Broadway Sally": "A blazing story of the wise-cracking great white way, by Howard McKent Barnes." Nancy Carroll and Charles Norton are given as the principal players. "Not selected" was given under the column for directors. The finished product, however, which is being delivered under the title "The Sin Sister," has been founded on a story by Frederick H. Brenna and Becky Gardiner. Nancy Carroll and Lawrence Gray are in the principal parts. It is a clear story and star substitution, and you are not obligated to accept it.

"MAKING THE GRADE" (No. 33): Not a substitution.

"NEW YEAR'S EVE" (No. 31): "Strong Arm" is supposed to have been the original title of this picture. In looking over the Fox Work Sheet I find that no author is given; the story is described merely as "A story of mystery and intrigue." George O'Brien and Lois Moran, however, were given as the principal players, and J. G. Blystone as the director. The finished product has been founded on a Cosmopolitan Magazine story "One Hundred Dollars," by Richard Connell. Now, if the original picture were to have been founded on this story, Fox would have naturally stated so; no producer will be foolish enough to pay big money for a story that has received so much publicity in a popular magazine and then hide the fact from those to whom he is selling it. So far as logic is concerned, it is a different story. But logic is not what guides the producers and their pet arbitration system; and so I doubt if you can make the arbitrators give you a favorable decision on that count. You can, however, reject it on the ground that it is a star and director substitution, for the picture is being delivered with Mary Astor and Charles Morton, instead of with George O'Brien and Lois Moran. It is also a director substitution, for Harry Lehrman has

directed it instead of Mr. Blystone. You don't have to accept it.

"GIRLS GONE WILD" (No. 5): "Girls Who Will" is supposed to have been the original title of this picture. The Fox Work Sheet did not give the author; it simply stated that it was to be "An expose of frivolous youth ablaze." No director was given either. But Madge Bellamy was given as the star. The finished product, "Girls Gone Wild," however, is being delivered with Sue Carol and Nick Stuart. It is a star substitution and you are not obligated to accept it.

"STRONG BOY" (No. 36): The original title of this picture is supposed to have been "The Baggage Smasher." It is a Victor McLaglen production. It has been set for release March 3. When the facts about "Strong Boy" can be obtained, an analysis of the picture will be made in these columns. At this time I may mention the fact that one exhibitor has written me that the Fox exchange has informed him that the "All Velvet" (No. 37) has been changed to "The Baggage Smasher." If the exhibitor has not made an error in transmitting me this information, then Fox is again resorting to a sleight-of-hand method, because both "Velvet" (37) and "The Baggage Smasher" (36) appear in the original contracts. This is a proof that they are not the same picture. More will be said about this matter when all the facts can be obtained. In the meantime, I would ask you, if you, too, have been notified that the new title of "Velvet" is "Strong Boy," so to inform me.

FOX AND "JOY STREET"

"Joy Street" was sold to you in the 1928-29 contracts as Number 28. The contract itself describes this picture as follows: "Based on story La Gringa by Charles C. S. Cushing (an Irving Cummings production)."

The Annual Fox Announcement, insert of which appeared in the June 2 issue of the *Herald-World*, described it thus: "Joy Street, from the play by Tom Cushing, with Lionel Barrymore, Marta Alba, Kenneth Thompson, Arthur Stone—Irving Cummings production." The Work Sheet, which gives the same cast and the same director as the Annual Announcement, describes the picture as follows: "The answer to the showman's prayer. An Irving Cummings production based on 'La Gringa,' by Tom Cushing, one of the most popular plays staged in this generation."

The May 26, 1928, issue of the *Hollywood Filmograph*, on the back page, gives the production activities of this picture as follows: Studio, Fox; Supervisor (none); Star, Alba-Barrymore [meaning Marta Alba and Lionel Barrymore]; Director, Irving Cummings; Assistant Director, Chas. Woolstendhulme; Cameraman, Conrad Wells; Story, La Gringa; Scenarist, Randal H. Faye; Remarks, shooting [meaning that production of it had started]; Type, Drama. These production facts are given also in the issues of June 2, 9, 16, and 23 of the same paper. All mention, however, of this picture is dropped in the issue of June 30. This means that the picture had been completed on that date.

I now read in the trade papers that production on "Joy Street" has been started. The news item reads as follows: "Raymond Cannon started production yesterday (Monday) [Editor's note: January 14] on 'Joy Street,' his new Fox picture. He took members of his cast to Soda Springs, California, in the high Sierras, where snow sequences are to be made. The story, which was written by Cannon and put in scenario form by Charles Condon and Frank Gay, will be depicted by a cast including Lois Moran, Nick Stuart, Sally Phipps, Ada Williams, Maria Alba, Florence Allen, Rex Bell, Marco Elter. . . Baroness D'Estournelles de Constant. . . ."

This seems unbelievable. Yet here we are, present before the rare spectacle of William Fox Film Corporation making a picture for you and, because it turned out to be a good one, putting it on the shelf and making another in its place, a picture of the program grade, so that they might sell you the real "Joy Street" afterwards, at perhaps ten times the price your contract specifies.

In one of my recent articles, I expressed the suspicion that "Street Angel" was no other picture than "The Escape" itself, taken away from you because we did not happen to keep a check on it. Seeing how Fox is now attempting to take away from you "Joy Street," I am convinced more than ever that "Street Angel" is "The Escape."

You are entitled to the original "Joy Street," which was produced last year. Demand it by registered mail!

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No. 5

Facts About Talking Pictures and Instruments—No. 12

In a recent article of this series I informed you that I was gathering the necessary data for an article that would give you an idea how to make a rough test yourself to determine whether the acoustics of your theatre are good, fair or bad; for, as I said at that time, when they are so bad that they cannot be corrected at a reasonable price, it would be unwise for you to install a talking picture instrument, as it would be just like throwing your money away.

I have now this material, but before printing it, let me give you some of the characteristics of sound. You will then be in a position to carry out these tests more satisfactorily.

Sound is, as we all know, the sensation one feels when disturbed air, in the form of waves, strikes one's ear drums. These waves are created by the movements of solid objects against the surrounding air. The pressure that is thus applied to the air starts the sound waves, which move forward.

Air expands when heated. Accordingly, when a gun is fired, the heat created by the burned powder causes the air to expand rapidly, creating a wave of air pressure. As soon as the expansion process has ceased by the complete burning of the powder and the contraction process has begun by the cooling of the gases, the different air columns that surround that vacuum rush in to fill it. A wave of rarefied air then follows the first compression wave, the process being repeated until the original energy is spent. The waves thus created reach the ear in the form of a report.

The intense heat created by a lightning bolt likewise causes the air to expand. The first expansion and the later impact of the air columns against one another when the air rushes to occupy the vacuum thus created results in thunder. The loudness of the thunder depends, of course, on the intensity of the electrical discharge as well as on the distance where such discharge took place. Sound travels in the air at the rate of 1,132 feet at 70 degrees fahrenheit. (In steel it travels at the rate of three miles a second.)

In the case of the cone system of sound projection, the pressure and the partial vacuum are created by the rapid, piston-like movement of the cone, which displaces the air in two directions, forwards and backwards. The vibration, or to-and-fro movement, of the air thus created by the rapidly moving cone, after the cone has completed a cycle, sets up a sound wave of a certain pitch. Such pitch depends on frequency, that is, on the number of complete vibrations per second; and its loudness, on the length of the forward and backward movement of the cone, or on, what in acoustics is called, amplitude.

For the purpose of illustration, let us take the "C" note that is four octaves below middle "C," or below the middle line of the musical staff, which consists of eleven lines. The frequency of this note is 16 cycles; that is, it makes sixteen complete vibrations in one second. If the cone were to move, say, one one-hundredth inch forward and as much backward in one-sixteenth of a second, the sound would be of a certain loudness. If it moved twice as far, or one-fiftieth inch forward and as much backward, though still in one-sixteenth of a second, the loudness would be greater (four times as great), although the pitch of the note would remain the same because the frequency, or time of vibration, would not be altered. If it were possible, in fact, to move the cone far enough on either side of the point of rest, the loudness would be such that no human being could stand it; the strength of the vibrations might even cause him physical injury, for example, the rupturing of his ear drums through excessive air motion.

This brings us to a point where we can illustrate why

it is necessary that a sound projection system must, in order to give the best of results, consist of a large number of cones. When only one cone is used, in order to obtain adequate volume of sound, the forward and backward movement must be considerable; that is, the amplitude must be great. In other words, the cone may be overloaded. When two cones are used, the movement of each cone need not be so great, for the load is distributed on two cones instead of being carried by one. Four or eight cones naturally give still better results when high volume of sound is required, for the load is distributed still more, thus placing a lighter load on each cone. In this manner a more mellow tone quality without rasping or rattle is obtained, instead of harsh tone quality, as in the case when only one cone is employed. Remember, however, that two cones do not give twice as loud a sound as one cone; they give about one hundred and eighty per cent loudness in some arrangements. Likewise, four cones give approximately three hundred and sixty per cent, and so on.

In the case of the sound projection systems that use the diaphragm-horn system, the sound waves are created in the same manner, by the vibration of the diaphragm, well enough, but, as the surface of the diaphragm is very much smaller (at least ten times smaller) than the surface of the cone, the diaphragm must be relatively more strained in order that an adequate volume may be obtained, the result being that the sound tends to be harsh or shrill. It also frequently has a metallic tone, this being the result of a combination of the overloading and of the dimensions, arrangement, and material of the diaphragm.

At this time it may again be said that another serious defect in the horn is the fact that air enclosed in a horn, like in all other bodies, has a pitch or a number of pitches of its own. When the pitch of a certain sound is the same as one of the pitches of a horn air column, the air in the horn is set to vibrating sympathetically. Such vibrations may or may not be all of the same frequencies as the vibrations created by the source of the original sound. The sounds thus generated are due to "resonances." On the other hand, the cone, itself being the vibrating medium, is more nearly free of such a defect, the result being that the sound created by it is much more nearly like the original sound.

When the cone moves forward, it compresses, or condenses, the air, sending out a compression at a velocity of approximately 1,120 feet per second. After reaching its furthest point of forward motion, it moves backward, passing the point of natural position, or rest. At that point, the air, which follows in the wake of the compressed air, becomes of normal density or pressure. The cone then moves backward. In its movement backward, the air becomes rarefied. And in such a rarefied state, it follows the wake of the normal pressure waves, which in turn keep on following, as said, the compressed parts of the waves. The cone again returns to the point of rest, and the air again becomes of normal pressure, or of atmospheric density. If the cone is kept vibrating, the process of condensation, normal density, rarefaction, and again of normal density is repeated. Thus a train of sound waves is a repetition of this procession.

Sound waves move out in all directions, until they strike a solid body. When they do, part of each wave is transmitted through the solid medium, part is absorbed, and part is reflected, until it strikes another solid body. The process is then repeated, part being transmitted, part absorbed, and part reflected, until the remaining part again strikes a solid body. The amount of absorption depends on the nature of the body. Sound is energy. Once it is

(Continued on last page)

"Wolf of Wall Street" (AT) George Bancroft

(Paramount, Feb. 16; synchr., 7,643 ft.; 85 min.)

George Bancroft again proves that he is an actor. The story is not extraordinary, but his good acting, coupled with his strong but pleasing personality as well as with the good direction, have made it an outstanding picture. The characters talk all the way through, and their talk is distinct and well recorded. Mr. Bancroft's powerful voice, in particular, registers well. The situations are chiefly dramatic. There is here and there some comedy, which is contributed mostly by Mr. Bancroft. But there are a few situations that are pathetic. One of such situations is where the young maid upbraids George Bancroft for his selfishness, telling him that in her opinion he is no different from an ordinary crook; she had been prompted to do that by the fact that her sweetheart had bought stock of a certain kind and his margin having been wiped out, he had stolen money from his employer in a vain effort to protect his original investment. Mr. Bancroft had pounded it down. The later scenes where this young girl tells him that he is a worse sucker than the so-called sucker public, which invests in stock to be sheared like a lamb by the Wall Street wolves, pointing out to him the fact that right at that moment his wife was up in her boudoir keeping company with his very partner, are very dramatic.

The whole picture has been handled intelligently. Miss Bacanova has not been a good choice for the hero's wife. Others in the cast are, Paul Lukas, Nancy Carroll and Arthur Rankin. The picture was directed skillfully by Rowland V. Lee, from a story by Doris Anderson.

"Homesick" with Sammy Cohen, Harry Sweet and Marjorie Beebe

(Fox, Dec. 16; 6,120 ft.; 71 to 87 min.)

This is one of those pictures that happen to turn out good when no one expects them to. The story is trivial, but the acting of Mr. Cohen as well as of Mr. Sweet, combined with the many gags, have made it into a comedy that, if the house where it is shown should happen to be full, ought to make the picture-goers split their sides with laughter, the strength of the laughs decreasing in proportion to the number of seats that will be empty. The story has been built upon the idea that Sammy Cohen wanted to go to California to marry a girl (Marjorie Beebe) who advertised in a matrimonial paper for a husband; he did not have the money to carry out his purpose. He gambles and takes every penny Harry Sweet has in the world and everything he hasn't; he takes away from him even his watch and pen knife. From that point on there is a race between the two; Mr. Sweet tries to take his money back from Mr. Cohen, and Mr. Cohen rushes to California to get to the girl.

Jack Stone wrote the story; Henry Lehman directed it. Others in the cast are, Henry Armetta and Pat Harmon. (It is a substitution.)

"Sins of the Fathers" (S) Emil Jannings

(Param., Dec. 29; Sil., 7,724 ft.; syn., 7,845 ft.)

The only appealing part is the last reel. In that part, the hero is shown as accidentally meeting his blind young son, who had been blinded by having drunk poisoned liquor the father himself had sold to a speakeasy. It is one of the most moving scenes that has been seen in pictures for sometime. But in order for the author to get to it, he had to wade through a booze world chiefly, and a world of infidelity, secondarily.

The hero is shown as happily married, conducting a restaurant. His wife slaves to help him with the work, so much, in fact, that she contracts tuberculosis. But the last straw is broken when she sees her husband kissing a woman; she collapses, and eventually dies. The hero, even though he had promised his wife not to marry such a woman for the sake of their children, is inveigled into marrying her. But after her marriage she did not sever relations with a friend of hers, who had been supporting her. The prohibition law goes into effect, and his wife's friend (villain) induces the hero to go into the bootlegging business. Soon they become wealthy. The hero discovers that his partner (the villain) had put wood alcohol into some liquor and reprimands him. The hero's son returns from college. He goes out with friends for a good time. They

drink liquor the father had sold to the speakeasy. The son becomes blinded as a result. The authorities discover the source of the poisoned liquor and arrest the hero, sending him to the penitentiary. Just before the hero is to leave the prison, his son-in-law sends him his lawyer and offers the hero to make a provision for him if he would promise never to see his family again. The hero refuses the aid but promises never to see them. Years later, while the hero is working as a waiter at an amusement park, accidentally he comes upon his blind son. The son recognizes his father by certain acts and they embrace. The daughter and the son-in-law arrive with their child and there is a happy reunion.

The drinking scenes are entirely too many; they are, in fact, so many that they will undoubtedly make the average picture-goer revolt at the sight. The revelries at midnight of June 30, 1919, when the prohibition law went into effect, in particular, are nothing but one "boozing" scene after another. The hero's bootleg operations are not a pleasant sight, either. In short, it is a picture that does not make friends for the picture industry; and may make many enemies. The moral (that it is dangerous to drink liquor nowadays) might have been conveyed effectively had not the hero been the bootlegger.

The plot has been founded on a story by Norman Burnstine. Ruth Chatterton, Barry Norton (as the blind son), Zasu Pitts (as the first wife), Jack Luden, Mathew Betz, Arthur Housman, and others are in the cast. Ludwig Berger has directed it.

Note: The Work Sheet described this picture as "Rise and fall of a vaudeville juggler." It is a theme substitution. Whether it is or it is not a substitution, however, if you have a theatre in a small community and Paramount should attempt to force you to play it, enlist the aid of all the ministers in your town; assure them that you would not have bought such a picture had you known what it was going to be, and that you do not want to run it now. Let them ask Mr. Hays if it is his wish that you run it.

"The Bellamy Trial" (PT) A Special Cast

(M-G-M \$2.00 picture, Mar. 2; syn. 8,268 ft.; sil. 7,254 ft.)

Trials of persons accused of murder, like political activities of candidates for offices, have been the bane of the motion picture. Whenever a producer happens to find himself short of story material, his order to his scenario department are either for a story of the activities of a political candidate or of a murder trial.

"The Bellamy Trial" is no different from dozens of other pictures that have been founded on such a theme; only that this time the talking picture invention has made it possible for the producers to vary it a little. Nevertheless, it is just as tiresome. The interminable cross-examinations on account of the efforts of the heartless District Attorney to prove that the heroine and the hero were guilty of the murder of his (the hero's) wife, the motive being, according to the same District Attorney, infatuation between these two, even though each was married; and on account of the efforts of the attorney for the defense to convince the jury that the case of the prosecution had been founded entirely on circumstantial evidence, and that his clients were as innocent as doves, are tiring. The jury acquits both, because that was the desire of the author.

An additional variation is the revelation by the mother of the heroine's husband to the judge that had presided over the trial that it was she that had committed the murder, but that the stabbing had been accidental. The judge, having been impressed by the truthfulness of the elderly woman, and having in mind the law, which is merciless, pretended that he had fallen asleep and that he had not heard a word she had said to him, sending her home with the injunction to forget all about the trial because the case was now closed forever.

The talk occurs in the last reel; the voices are muffled, evidently the result of placing the microphone in the wrong position. The sound comes out jarringly, too, annoying one.

The plot has been founded on a story by Frances Noyes Hart. It has been directed by Monta Bell. Leatrice Joy, Betty Bronson, Edward Nugent, George Berraud, Margaret Livingston, Kenneth Thompson, Margaret Seddon are in the cast. The most enjoyable part is the little by-play comedy in which the charming little Betty Bronson and Edward Nugent are the principals. Miss Bronson is taking lessons in reporting, and Mr. Nugent is an old reporter. The remarks Miss Bronson makes while the trial is on are truly comical.

"Weary River" (PT) Dick Barthelmess*(First Nat., Feb. 10; syn., 7,916 ft.; sil., 8,000 ft.)*

This is the first picture made with Dick Barthelmess to have talking sequences, and he not only speaks clearly but also does some real singing. The success of this picture will, in fact, be owed as much to his singing as it will to its other qualities. There is interest in every foot of the action; and there is suspense in some of the situations of the most tense kind. The part of the convict is impersonated by Mr. Barthelmess so well that one feels as if being present before a real occurrence. Even though he is presented as a gangster at first, his reformation while in jail awakes intense interest in the spectator. The scenes that show Mr. Barthelmess conducting the orchestra in prison and then singing "Weary River" over the radio stir one's emotions of sympathy. The treatment given the hero by the civilians after his exit from jail makes the spectator angry; he feels as if the greatest injustice is being done to a man who wanted to live a peaceful life. Two other players stand out: Mr. William Holden, and Miss Betty Compson. Mr. Holden attracts the spectator's sympathy by his humanness, and Miss Compson by her loyalty to the hero, which loyalty had brought about his reform.

The story is that of a gangster, who is framed by a rival underworld character, and is arrested, tried, convicted and sentenced to the penitentiary for a murder he had not committed. He is bitter and fights the guards in prison, but is eventually tamed. He learns music while in prison and develops so great a musical talent that his song "Weary River" is a hit with the public when he sang it over the radio. He is eventually released on parole, but he finds it difficult to lead a peaceful life in that, wherever he goes, he is pointed to as a jailbird. He decides to go back to the gang, particularly after learning that he had been framed. But the resourcefulness of the heroine, who loved him above everything else in life, saves him by enlisting the aid of the kind-hearted warden.

The story is by Courtney Ryley Cooper. It was directed with skill by Frank Lloyd. Others in the cast are "Georgie Stone, Gladden James, Louis Natheau, and Raymond Turner.

There is every indication that the public will receive "Weary River" well.

"A Woman of Affairs" (S) John Gilbert and Greta Garbo*(M-G-M, Dec. 15; synchr. 8,319 ft.; 92 min.)*

As you, no doubt, know by this time, "A Woman of Affairs" is Michael Arlen's "The Green Hat," which Mr. Hays banned. But it comes to the screen under this title, which Mr. Hays did not ban. Nevertheless, the picture is entirely successful. It is a tragedy, in which Miss Garbo once more is given an opportunity to show her talent, and to prove that the silent pictures are neither dead nor ready to die. There has been, of course, considerable amount of lye used to cleanse the original work of Mr. Arlen; but the job has been done successfully. In the place of Iris Marsh, the care free woman who wore a green hat always, and who defied the conventions of the world, we now have Diana Merrick, a woman who is accused of being what she was not, but refrains from telling the world about it because, her character being noble, she is unwilling to let the world know that her husband, who had committed suicide, did not die "for decency," but to escape arrest for forgery. There is deep pathos in the scenes where Diana Merrick lay near the point of death in a hospital at Paris, where the hero and his wife visit him because the heroine's doctor, and friend (Lewis Stone), and an old friend also of the hero's, had sent for him with the hope that his, the hero's, presence might instill in her the will to live. The self-sacrifice of the hero's wife, who, although she knew that the hero still loved the heroine, did not hesitate to accompany him to the hospital, is moving. There are, in fact, tenderly pathetic situations all the way through, amongst them being that which shows the heroine's brother refusing to see the heroine and dies thinking that his friend, who had married his sister, had died because of his shame for his sister's conduct, when in truth he had committed suicide to escape arrest for forgery. Great liberties have been taken with the story, characters and situation having been changed beyond recognition.

Mr. Gilbert is not given an outstanding part in the first two-thirds of the film, but he does his work well, particularly in the last third, where he is a prominent figure. Douglas Fairbanks, Jr., does good work as the heroine's young

brother. John Mack Brown, Hobart Bosworth, Dorothy Sebastian and others are in the cast.

While it is not a Sunday School picture, it is a good tragedy and should appeal to adult picture-goers.

"Smoke Bellew"—with Conway Tearle and Barbara Bedford*(First Division; Jan., 6,605 ft.; 76 to 94 min.)*

Like the "Trail of '98," this picture deals with the gold rush wherein thousands hot-footed it through the Chilkoot Pass to reach the Alaskan mines. Conway Tearle is fairly good as the hero, a lawyer seeking forgetfulness, losing himself and finally becoming quite heroic in saving the heroine and her father from losing their mine. Barbara Bedford is a pleasing heroine. Mark Hamilton is very good as an oldtimer who took a liking to the hero and became his pal. Others in the cast do well enough.

The story, based on Jack London's novel, deals with the vicissitudes of those who stampeded to Alaska in 1897. There are some thrills, and a little suspense is maintained when the hero tries to keep the crowd from pursuing the heroine and her father before they could stake their claims to the mine left to them by the father's dead partner. The familiar dance-hall scenes, shooting and scraps take place.

While it is not a big picture, being only of neighborhood grade, it is not uninteresting. Scott Dunlap directed it from an adaptation by Fred Myton.

"Napoleon"—French Cast*(Metro-Goldwyn-Mayer; Oct. 27; 6,870 ft.; 80 to 98 min.)*

A hodge-podge long drawn out history of Napoleon's life from the time he was a lad in school, displaying the fighting spirit which later, as a man led him as a lieutenant in the army, driven from the land of his birthplace, Corsica, to become the ruler of France, very much in love with the woman who, in between battles, he made his wife, the famous Josephine de Beauharnais.

The picture, directed by Abel Gance, from a screen story composed by him, was produced on rather a lavish scale with a large cast. But the photography is very poor, the scenes jumpy and disconnected. The picture is on the whole, tiresome.

As a historical picture, it might interest a certain type of audience, but the average American audience, accustomed to good photography, and to handsome men and to beautiful women, will not enjoy it very much.

LOOK OVER YOUR NEWS CONTRACT

Does your newsweekly contract contain a clause making its renewal automatic in case you do not send in a cancellation notice a certain number of days before its expiration? If you do not know, dig the contract up and look it over.

In case you cannot find it, or you have not time to search for it, and want to cancel it when the time is up, just send a letter of cancellation, informing the exchange that you want that cancellation to be considered as having been sent as provided for by the contract.

"Please accept my cancellation of your Newsweeklies when my contract expires. You may consider this cancellation notice as sent within the required number of days in advance, in accordance with the provisions of the contract," should be a good form of letter to send. Remember that if you should not send a cancellation notice now and you find that the required number of days, before which you must send a cancellation, is one day short, you will be compelled to run the newsweeklies for another year.

A WORTH WHILE WARNING

Mr. H. Tanner, of Tanner Theatre Circuit, Pana, Ill., writes:

"I wish that I had taken your advice and waited a little longer before I bought a sound device. I bought a — and to my sorrow it has not given me or my patrons any satisfaction. The general patronage walked out on every synchronized picture we have so far had.

"My advice to small exhibitors is that if they cannot afford a good standard device not to buy any at all.

"Synchronized pictures do not mean anything in a small town, but a good talking picture about once a month is a novelty.

"It would be a good idea for you to notify the exhibitors that have machines not to buy synchronized pictures, as the audience would rather hear a good organist."

created it can be dissipated only by being transformed into heat or into some other form of energy. Such transformation depends on the porosity and other physical qualities of the body. The friction created by the sound wave when it enters the pores causes it to turn into heat. The less porous a reflecting medium, the less absorption takes place, and the more frequently is the wave reflected in a given room or enclosure. Hard walls, particularly with a smooth surface, such as tile walls, for example, are least absorbing mediums. On the other hand, felt, being porous, if not packed too tightly, is one of the best sound absorbing mediums known.

When the body the sound wave strikes is only slightly sound absorbing, the wave is reflected with little loss, until it strikes another solid body; it is then re-reflected, again with a small loss, (if this body, too, is of small sound absorption), the process being repeated until all the wave energy is absorbed. Thus the room, until the point of total absorption has been reached, becomes full of reflections and counter reflections, prolonging the sound. Such prolongation is called reverberation. It differs from a single sharp echo in that such an echo can be resolved into one measureable unit, whereas reverberation cannot, being a gradual decay of the successive blended echoes in a room.

In speech it is not desirable to have in the hall either echo or reverberation; only the direct sound is desirable. In music, however, a certain amount of reverberation is desirable in that, when the succeeding note blends with the preceding note, the resultant music acquires color. It has been found by musicians that in actual practice a reverberation time of one and two-tenths seconds duration gives the best results. (The reverberation time is the time required for the sound to die down to one-millionth its initial value; that is, practically to disappear.) In speech, however, the reverberation should not exceed one-half second. But because in a hall where speech as well as music is used an ideal condition for both cannot be had, a mean average condition, not too long for speech but not too short for music, is adopted.

Sound waves are, as said, a series of condensations, normal densities, and rarefactions. If the paths travelled by the sound waves to the point of reflection are of the same length, when the waves meet, condensed portions make contact with condensed portions and reinforce each other; but if they are not of the same length, then condensed portions meet rarefied portions and at least partly neutralize or interfere with each other. A proportional degree of reinforcement takes place when a condensed portion meets a portion of normal density. That is the reason why in a hall the sound is loud in some spots, weak in others, and medium still in others at a given instant and for a certain pitch of sound.

When a partition that is not very rigid is struck by sound, it is set to vibrating. Thus another set of sound waves is set up. These waves radiate not only in the direction away from the source of the original sound, but also in the direction of the source itself as well as in all directions. The sound thus created is due to reflection and is called an echo, (or, if multiple, a reverberation). It is objectionable; any sound other than the primary sound is, in fact, fundamentally objectionable, allowance being made for a certain amount of reverberation for music, which is, as said, desirable. The most objectionable sounds are those that are set up by a vibrating body when the pitch of the note reaches the natural pitch of the air in a hall. Every solid or gaseous body has a pitch of its own, which responds to resonances. Even the air in an empty hall has pitch of its own, which is high if the hall is small, and low if the hall is of large dimensions. The pitch of any vibrating body, in fact, depends on the size or bulk; it is high when it is small, and low when it is large. Large empty halls accordingly produce undesirable "booming" resonant sounds or the so-called "barrell" or "vault" effects, unless, of course, they are properly sound-proofed.

P. S. HARRISON.

THE HE-MEN OF INDIANA

Associated Theatre Owners of Indiana, in its latest bulleting to the members, has the following item under the heading, "AFFILIATION WITH ALLIED":

"At the January Board of Directors meeting of the Associated Theatre Owners of Indiana, it was decided that Indiana would affiliate with the Allied States Association of Motion Picture Exhibitors, of which Mr. Abram S. Myers is the President and General Counsel. We investi-

gated this matter very thoroughly and it was the opinion of the Directors that now is the critical moment in the affairs of exhibitors and it is vital that there be a strong national organization which could unify all efforts of the theatre owners of this country just as Mr. Hays acts for the Producer and Distributor branches."

The statement concludes informing the members that the dues of the Allied organization were paid individually by the officers and not by the organization. This indicates an organization spirit that is worthy of emulation, not only by the other state units, but also by every individual independent exhibitor.

1928-29 SUBSTITUTIONS Pathe

In the interest of fair play, let me say that the substitution of Renee Adoree for Jacqueline Logan in "The Spieler" was not made by Pathe with a view to "putting one over" the exhibitors. The stars are of about equal drawing power, and had the picture turned out to be a good one no one would have been the loser by the substitution of a star. But the honest intentions of Pathe in no way nullifies your rights in substitutions, whether they be of star, director or of story.

"Man-Made Women," "Craig's Wife," "Power," "Celebrity," "Captain Swagger," "Show Folks," and "Forbidden Love" are not substitutions.

"MARKED MONEY": This picture was to have been founded on a story by Bertram Milhauser. The finished product, however, has been founded on a story by Howard J. Green. There has been also a star substitution in that Alan Hale was promised with Junior Coghlan and Tom Kennedy has been delivered. But because it has turned out to be a good melodrama no exhibitor has been hurt by the story and the star substitution.

"SAL OF SINGAPORE": Not a substitution.

"ANNAPOLIS" (9514): This picture was sold as an original story by F. McGrew Willis; but the finished product has been founded on a story by Royal S. Pease. It is a story substitution. (Editor's Note: As it has not yet been shown in this territory either in a theatre or in a projection room to the trade press, I am not in a position to say whether it is worth running or not.)

"LOVE OVER NIGHT": Not a substitution.

"NED MCCOBB'S DAUGHTER": Not a substitution.

"THE SHADY LADY": The Work Sheet stated that Leonard Praskins was to be the author of this story, and was to have been a "high-class well dressed drama of New York society." The finished product, however, has been founded on a story by Jack Jungmeyer, and its action unfolds in Cuba, the story dealing chiefly with bootleggers. It is a story substitution and you are not obligated to accept it.

"THE SPIELER": As said in the footnote in last week's review, this is a story substitution and you are not obligated to accept it. Elliott Clawson was to have been the author but Hal Conklin wrote it.

"GERALDINE": Marian Nixon has been substituted for Jeanette Loff, but the substitution is not detrimental to the exhibitor's interests.

"SIN TOWN": Not a substitution.

"NOISY NEIGHBORS": This picture was to have been founded on a story by George Drumgold and Sanford Hewitt. But the finished product is being delivered with a story written by F. Hugh Herbert. It is a story substitution and you are not obligated to accept it.

AFFILIATED vs. UNAFFILIATED EXHIBITORS

If any evidence were needed to prove that the interests of the unaffiliated exhibitors are not in harmony with the interests of the affiliated exhibitors, it has been furnished by Michigan.

As in every state unit, so in Michigan, the exhibitor organization included also exhibitors with producer affiliations. Recently the Board of Directors of the Michigan M. P. T. O. voted to affiliate with the Allied, twelve being in favor and three opposed to the move, the opposition coming from exhibitors with producer affiliations. A general meeting was called, and the action of the Board was ratified by 249 to 100 votes, thus dispelling all rumors of a "split."

The Allied is now strongly intrenched; with Michigan, Minnesota and the other Northwest States as well as Indiana as the nucleus, the Allied has laid strong foundations.

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No. 6

An Analysis of the Reformed Exhibition Contract—No. 6

In resuming the discussion about the arbitration rules—what they mean and what part of them are to your advantage, let me call your attention to the ten per cent penalty imposed on the distributor that fails to abide by the decision of the arbitration board. This provision is contained in the last part of Article 6, of Rule IV. It provides that ten per cent of the total amount of the award shall be added every month from the day it was rendered until the day the recalcitrant distributor shall settle with the exhibitor.

Cases have been brought to the attention of this paper in which an exchange ignored the demand of the exhibitor for settlement of the award. So it is well for you to know that, in addition to the total amount of the award, you can add ten per cent every month that the award remains unsatisfied. And you don't have to worry about collecting; in case the exchange refuses to satisfy the award and the Film Board of Trade fails to take the necessary steps to force it to settle with you, all you have to do is to notify the American Arbitration Association, or this office.

* * *

I have been requested to treat more clearly of Article 8, of Rule II, which provides that a contract becomes outlawed nine months after a breach instead of twelve months, as was the case under the old Rules, which were revised by the contract committee appointed at the Trade Practice Conference, and which were put into force last May.

Some secretaries of Film Boards of Trade go under the assumption that where contracts that were signed prior to May 1, 1928, that is, before the new Rules went into effect, are in dispute, the arbitrators must, in reaching their decision, be governed by the rules that were in force at the time that contract was signed. It is necessary, therefore, to enlighten such secretaries on the subject, and to caution exhibitor-arbitrators not to be influenced by how these distributor-representatives feel but to be guided by a sense of equity and justice:

Arbitration rules are not changed unless they are found to be inequitable in practice either to the one class of litigants or to the other. Accordingly, when the rules that were in force prior to May, 1928, were being discussed, the representatives of both groups, producer-distributors and exhibitors, agreed that certain provisions of them were unjust and inequitable, and reformed them. Among the rules that were reformed was also the time limit after which a contract is considered outlawed. Both groups agreed that such time limit should be reduced to nine months after a breach instead of twelve months, as before. In other words, if one of the parties to a contract breaches the contract, the other party loses all right to bring the offending party before the arbitration board if the time that has elapsed from the day of the breach is more than nine months. To hear, then, representatives of the producers, such as the secretaries of Film Boards of Trade are, insist that a contract be judged under unjust and inequitable rules does credit neither to their intelligence nor to their sense of fair play.

When you sign a contract containing a provision for arbitration, you give up your rights of trial by jury, the cornerstone of your liberties. The least you could expect from the other side, then, is to have the arbitrators decide your dispute under rules that are just and equitable.

One additional reason why your dispute should be decided under the new rules is the fact that you do not appoint the arbitrators for your side; they are appointed by men who often do not really represent you; you may not even be a member of the exhibitor organization that appoints them.

This paper suggests that exhibitor arbitrators be guided by the new rules in all cases, no matter whether the con-

tract involved was signed before these rules went into effect afterwards.

The Eighteenth Clause, which, as said, refers to arbitration, starts as follows:

"The parties hereto agree that before either of them shall resort to any court to determine, enforce or protect the legal rights of either hereunder, each shall submit to the Board of Arbitration . . . all claims and controversies arising hereunder for determination pursuant to the said Rules of Arbitration. . . ." In other words, both the exhibitor and the distributor agree that before either resorts to the courts he shall first submit his differences to the arbitration board. This wording is hypocritical, for, once you agree to arbitrate all differences, you give up your rights of going to the courts, at any time, unless it be for causes so often enumerated in these columns, such as, fraud, corruption of the arbitrators, and other similar causes. It would be more honest for the clause to read, "The parties hereto agree that instead of either of them resorting to any court to determine, enforce or protect the legal rights hereunder, each shall submit to the Board of Arbitration . . . all claims . . ." It is possible that a court may rule, because of such wording, that either party has a right to go to the courts after a board rendered a decision. The matter, however, has not been taken to the courts for test by anyone. So it might not be a bad idea to have it tested. The fact that the second paragraph of this clause obligates both parties to abide by the decision of the arbitration board may be found by the court to be conflicting.

The third paragraph of this clause makes the exhibitor agree that in case he should fail to abide by the decision of the arbitration board the distributor may demand, as additional security, a sum of money, not to exceed \$500. As explained in a previous article of this series, the distributor that has a grievance against an exhibitor may demand \$500 from him, if he sees fit, as additional security, but the matter differs when an equal amount is demanded by every member of the Film Board of Trade. In such a case, the act becomes a conspiracy, because more than one company imposes the same penalty on such exhibitor. The members of the Film Board of Trade violate the law still worse when the theatre of the exhibitor they have penalized is in a different state, as is the case with film zones that serve exhibitors in two or more states.

Let it be said here that a criminal offense is an offense against the people of the United States, when Federal laws are violated, and comes under the jurisdiction of the Federal authorities. So when an exhibitor that lives in a different state from that of the film zone finds himself penalized by the members of the Film Board of Trade for disputes that do not concern them, he should bring the matter to the attention of the Attorney-General and demand the prosecution of the offenders. He might enlist the aid of his Senator, or of his Representative, so that the matter might be brought before the proper U. S. official.

Clause 19: "This contract is complete and no promises or representations have been made by either party to the other except as set forth herein." This means plainly that no matter what promises the film salesman has made to you in order to induce you to sign the contract, unless such promises have been put into the contract, you cannot force the distributor to recognize them.

It seems as if, after what has been said on the subject repeatedly, it would be unnecessary to waste any more valuable space to tell an exhibitor that nothing is recognized unless it is in the contract; but, alas! such a thing is necessary, for there are still exhibitors who continue to take the oral promises of a distributor's representative

(Continued on last page)

"Redskin" (S)—with Richard Dix*(Param., Sil., 7,402 ft.; Syn., 7,643 ft.)*

Heretofore the impression prevailed that it is impossible to make an appealing drama in technicolor. "Redskin" upsets such a theory, because it has turned out to be, not only one of the most beautiful pictures that have ever been produced, in color or in black, but also it has deeply appealing qualities, and it holds the spectator's interest well from the beginning to the end. Some of the color scenes are enchanting. These represent either a desert or the habitats of the Navajo and of the Pueblo Indians. There are some thrills in it, too, these being caused by the effort of the hero, son of the Navajo Chief, educated in a college, to reach the registration office so as to register the land on which he had discovered oil ahead of the villains. It is by presenting half of this wealth to the Navajo tribe and the other half to the Pueblo tribe, that the hero was enabled to establish a friendship between these two tribes, which had been warring from time immemorial, and to gain the consent of his father, leader of the Navajo tribe, and of his sweetheart's father, leader of the Pueblo tribe, to their marriage.

In the beginning the hero is shown as a child, whipped by the military commander of the school at the Indian reservation for having refused to salute the American flag, being nick-named "the whipped one" for this. It is there that he first meets the daughter of the chief of the Pueblo tribe (heroine). When he grows up he goes to an American college in the East. The heroine obtains a position at the college so as to be near the hero. Word comes to the heroine from home that her mother is so ill that it was expected that she would die. When she reaches home she finds that she had been tricked to return home so that she might be made to marry a man of her father's choice. She is kept a prisoner. The hero, having been insulted by one of the students for being an Indian, leaves college embittered against the whites. His father and the tribe disown him when he, upon his return home, is unwilling to follow the traditions of the tribe and become the medicine man; he told them that they were behind in knowledge, that their medical ways were extirpating them, insisting that they adopt the best ways of the white man. But the chiefs of his tribe would not have it that way. So he is ordered away. Word comes to him that his sweetheart is about to be forced to marry a man of her tribe and he goes to her rescue. He eventually succeeds in rescuing her.

Elizabeth Pickett wrote the story; Victor Schertzinger directed it. Gladys Belmont takes the part of the heroine, and acts it well. Others in the cast are Jane Novak, Larry Steers, Tully Marshall, Bernard Siegel, George Rigas, Joseph W. Girard, and others.

"Annapolis" (PT)—with John Mack Brown, Jeanette Loff, and Hugh Allen*(Pathe, Nov. 18; Syn., 7,957 ft.; Sil., 7,008 ft.)*

Just fair. Nothing to get excited about! It is a story that unfolds in the United States Naval Academy, Annapolis, and shows the rivalry between two midshipmen (one of them the hero) who loved the same girl. The hero and the other midshipman finally realize how unfairly they had been acting towards each other and shake hands, promising to be good friends. The hero is supposed to be shy of girls and stays away from them. His pal introduces him to his sweetheart (heroine). In time the hero and the heroine fall in love with each other. The pal, while returning to the dormitory after regulation hours, is met by the guard and is questioned. He strikes the guard and sneaks into his quarters. The hero, too, was out after hours that night. He notices the incident. Not found in his quarters upon inspection, he is suspected of having been the one that had struck the guard. He is ordered to his room under arrest. Rather than tell who had struck the guard, the hero runs away. This makes him look guilty and causes his dismissal from the Academy. But in the end the pal writes a letter to the heroine confessing that it was he that had struck the guard. The heroine takes the letter to the Commandant. Thus the confession of the pal brings about the reinstatement of the hero, and the marriage of hero and heroine.

The story is supposed to show what sterling character midshipmen must possess to be considered gentlemen.

NOTE: This picture was reviewed at the Hippodrome, this city, as a silent picture. It is the first time that it has been shown in this city. That is the reason for the late review. It is a substitution, in that the story was to be an original one by F. McGrew Willis, but the finished product has been founded on a story by Royal S. Pease.

"The Doctor's Secret" (AT)—with H. B. Warner*(Param., Jan. 26; Syn., 5,832 ft.; 65 min.)*

If this picture were to be judged by silent picture standards, one would have to class it only as a fairly appealing drama; but because of the fact that the characters talk all the way through, and because the production end of it is of high quality, it is possible that it will be received well by the picture-going public that follows talking pictures. The story is dramatic. In some of the situations the suspense is tense. The most suspenseful situation is that which shows the heroine returning home after the death in an automobile accident of the man she was going to run away with; she rushed back with the hope that she would get hold of the letter she had left informing her husband that she had left him. The part where the heroine is shown resting with her back against the desk and secretly taking the letter out of the drawer is the most suspenseful. The dialogue is very good, but the sound projection is somewhat poor; it came out of the horns with a jar.

The plot has been founded on J. M. Barrie's playlet "Half an Hour." It deals with a British noble woman, who, unable to tolerate her brutal husband (a lord) any longer, abandons him and goes to the hero, whom she loved, intending to follow him to Egypt. The hero is accidentally killed by an automobile before their departure. A doctor happens to be near the accident and orders the body taken to his (the hero's) home. There he meets the heroine, from whom he learns that she is not the hero's wife. He suggests to her to depart. She returns home and her surprise is great when among the guests of her husband's that evening she finds the doctor. The Lord introduces the heroine to the doctor. The doctor at first thinks ill of the heroine, but as the evening progresses and he has an opportunity to study the character of his friend, the Lord, he changes his opinion of her, and keeps the incident to himself. The heroine succeeds in taking away the letter she had left informing her husband of her abandoning him.

Ruth Chatterton does excellent work as the heroine. Robert Edson is very good as the doctor. So is H. B. Warner, as the Lord. Ethel Wales, John Loder and others are in the supporting cast.

It is suitable chiefly for high-class custom. (No silent version.)

"Captain Lash"—with Victor McLaglen*(Fox, Jan. 6; Sil., 5,376 ft.; Syn., 5,453 ft.)*

Pretty good! It is a rough comedy, with a stoker as the hero, and with a girl, confederate of crooks, as the heroine. Mr. McLaglen, as the hero, is presented as being a "terror" with the women in the ports he visits.

The story starts in a South American port, shifts on board of an ocean steamer travelling towards Singapore, and finishing in Singapore. On board the ship the hero is shown meeting the heroine, a confederate of some crooks, planning to rob a passenger of a famous collection of jewels. The heroine pretends to make love to the owner of the jewels and gets an opportunity to steal the jewels. She induces the hero to keep the jewels for her and to bring them to her residence, her real object being to prevent the custom authorities from finding the jewels on her. The hero, who had become fascinated with her, gladly does so. But when he reaches the heroine's residence, he discovers that the envelope contained small lumps of coal. His pal, suspecting trouble, had taken the jewels. The heroine becomes angered and insults the hero, who then realizes that the heroine was a crook. The police enter and arrest the heroine. The hero tells the owner of the jewels he thinks he knows where the jewels are. He then takes him to his buddy at a cafe, and takes the jewels away from him, giving them to the owner.

Considerable comedy is contributed by Clyde Cook, who takes the part of the hero's buddy. His playing of "The Campbells Are Coming" whenever there was necessity for him to notify the hero that the sweetheart, or the husband of the woman he was with in the room was coming, is the source of considerable merriment. (It is a little "raw," too.) Claire Windsor is the heroine. Arthur Stone, Albert Conti and others are in the cast.

It is a rough picture, and hardly suitable for "nice" neighborhoods.

NOTE: The contract specifies that it was to be based on the book by Charles Francis Coe. The finished product, however, has been founded on a story by Daniel Tomlinson and Laura Hasse. So it is a story substitution and you are not obligated to accept it.

"Red Hot Speed" (PT)—with Reginald Denny

(Univ., Jan. 27; Sil., 6,228 ft.; Syn., 6,621 ft.)

A very good comedy, both as a "talker" and a silent. There is considerable comedy in it, at times reaching the boundaries of slapstick. This is caused by chasing which is resorted to by the characters. This happens in the judge's chamber in the court house, where there is a mix-up in identities. This mix-up is caused by the desire of the hero and of the heroine to hide from the heroine's father the fact that the young woman who had been caught speeding and who had been placed by the judge in the care of the hero, District Attorney, is his own daughter. To make a success of these efforts, the hero had paid his servant girl to pose as the girl that had been arrested. The hero had made the heroine's father believe that the young protegee of hers is slightly crazy, succeeding to make the servant girl act as if she were mentally unbalanced.

The characters talk in two or three places. The talk is such that contributes to the entertainment values. Mr. Denny has a surprisingly clear voice and his enunciation is good; he speaks with a slight pleasant English accent. The voice of Alice Day, too, registers well. So does the voice of Thomas Ricketts, who takes the part of the heroine's father. Charles Byer, De Witt Jannings, Fritz Ridgeway, and Hector Sarno are in the cast. The plot has been founded on a story by Gladys Lehman; it was directed by Joseph Hennabery. (Not a substitution.)

"Strange Cargo" (AT)—with Special Cast

(Pathe, March 31; Syn., 7,045 ft.; 78 min.)

This is another picture that seems to fail to measure up to good entertainment standards if judged by silent drama standards. Most of the action unfolds by means of dialogue. This naturally makes the picture slow as a silent drama. Nor is the theme very pleasant; it deals with the disappearance of a character, and the eventual discovery of him that had murdered him. It is a sort of mystic picture, Hindus with their strange beliefs being brought into the scene. The suspense is caused by the strange fear the characters feel when two persons from their party disappear.

The action unfolds on board an English ocean going yacht, where the owner, a divorced man, had invited, among other guests, also the heroine, with whom he was infatuated, but who despised him; she loved some one else. The yacht owner's professions of love were distasteful to her as a result. The yacht owner disappears and the captain suspects the heroine's fiancé as the murderer, because he had been heard to threaten to kill the dead man if he molested the heroine again. The heroine, suspecting her fiancé as the murderer, breaks her engagement with him. When he protests his innocence, she does not believe him; she thinks that he is guilty well enough, but that he is trying to make her believe that he is innocent. In the end, however, one of the men of the party discovers behind a secret panel a Hindu in a trance. They dig him out and, after he comes to, they question him about the murder. At first he is reluctant to speak, but afterwards he brings the body out of the hiding place, and informs them that it was he that had killed him, telling them that he had done so at the orders of a high priest, for the dead man had offended the Hindu religion. The Hindu then attempts to escape. But he is caught by the captain.

The story, which has been written by Benjamin Glazer, is interwoven cleverly. The talk has been recorded well, and it is good in the reproduction with the exception of the voice of Miss June Nash. The cast consists of Lee Patrick, George Berraud, Kyrle Bellew, Russel Gleason, Frank Reicher, Andre Beranger, and others.

As a "talker," "Strange Cargo" may take well; but as a silent picture it is only fair. (The silent version is not yet ready.)

"The Apache"—with Margaret Livingston and Don Alvarado

(Columbia; Nov. 19; 5,818 ft.; 62 to 83 min.)

A program picture for neighborhood houses. The first part is rather tiresome because of its familiar theme; the usual Apache dance and the low atmosphere in the French cafes and dives. But it ends in a rather thrilling manner with mystery and suspense. Miss Livingston (heroine) is very good as the Apache knife-thrower by profession who was forced to become an Apache dancer. Her knife-throwing skill was able to save her sweetheart from being sent to prison when he was convicted of being a murderer,

though innocent. Don Alvarado is a pleasing hero who was a professional Apache dancer. He had been forced to steal money when his mother was very sick and it was the heroine's pocketbook that he had grabbed. (She learns the cause and they both fall in love.) Philo McCullough is pretty good as the detective who had become infatuated with the heroine and who had her paroled when the gang of thieves in whose dive she worked, was arrested. Warner Richmond is a good villain, also in love with the heroine, who after he left prison, sought revenge and killed the detective.

The picture was directed by Phil Rosen from a story by Ramon Romero. (Not a substitution.)

FOX AND HIS "TENTATIVE" PROVISION IN THE WORK SHEET

The Fox Film Corporation refuses to accept cancellation of the pictures it is delivering with a different story, theme, star or director, calling the attention of the exhibitors to a provision printed in the Work Sheet, which, according to its own assertion, gives it the right to make such changes.

I have looked over the Work Sheet and found the following provision printed in it: "With Tentative Titles, Casts and Directors."

Many exhibitors have written, telephoned and telegraphed to this office asking me whether Fox is justified in the stand he has taken or not.

There is nothing for you to become excited about. Assuming for the moment that Fox has the right to make changes in the titles, casts and directors as a result of that provision in the Work Sheet, let us see what it can and what it cannot force you to accept:

By asserting that it can make changes in the titles, casts and directors, because of the "tentative" provision in the Work Sheet, the Fox Film Corporation makes the Work Sheet automatically part of the Schedule in the contract.

Since "story" and "theme" are not included in the "tentative" provision of the Work Sheet, Fox cannot force you to accept pictures in which the story or the theme has been changed. To this class belong: "Win That Girl," "Red Wine," "The Great White North," "Captain Lash," and "The Sin Sister."

Let us now examine the kinds of changes that are covered by the tentative provision:

TITLES: No one can dispute the right of Fox to make changes in the titles of pictures. Clause 10, which stipulates, "Nothing herein contained shall limit the right of the Distributor to change the title of any of such photoplays . . ." gives him such a right. For this reason it was altogether unnecessary for the Fox Film Corporation to include "Titles" in its "tentative" provision.

CASTS: By "Casts," the Fox Corporation does not mean "Star"; if it did, then it would be possible for it to sell a picture with Madge Bellamy as the star and deliver one with Miss Puffy Hugh; or a picture with Douglas Fairbanks and deliver one with Bull Montana. So you don't have to accept any picture in which the star has been changed. To this class belong the following pictures: "Homesick," "Red Wine" (which is a story substitution if it is delivered as "Husbands Are Liars," for the reason that both pictures are contained in some contracts and therefore the two pictures cannot be one, and which is also a theme substitution if it is being delivered with the original title, "Red Wine,") "New Year's Eve," and "Girls Gone Wild."

If we concede the right of Fox to make changes in the cast, then you will have to accept "Dry Martini," in which the cast was changed.

DIRECTORS: "True Heaven" is the only picture so far to be directed by a different director from the one promised. But since it is only one picture, we are not going to quarrel with Fox at this time. You had better wait for the views of this paper on changes of this kind; they will be printed perhaps in next week's issue.

THE PACENT REPRODUCER

I went to hear the Pacent Reproducer in one of the theatres in this zone and all I can say is that I was disappointed at the tone quality; it sounded to me too shrill and harsh, and the kind that would make me a nervous wreck had I been compelled to listen to it for a month.

It is possible that, because of the fact that it was the first day of the installation, it was not adjusted properly. For this reason I would suggest to all those who have inquired of me about this instrument to wait for a second report if I should find the tone quality improved when I hear it again either in the same theatre or in another.

and fail to demand that all the promises be put into the contract. Any distributor representative that will try to induce you to sign a contract by making oral promises is not sincere. This should be one more reason why you should insist that he put every promise into the contract. The salesman may be a friend of yours, and may have proved himself to you to be a man of his word. That is very good! But remember that he is a mere employee, and is liable to be transferred to another zone at any time. Or he may become ill and resign. There is also such a thing as death. For all these reasons you should insist that every sales inducement be put into the contract. The fact that the salesman happens to be a very good friend of yours is a stronger reason why he should put such inducements into the contract; for friends always protect their friends; they do not leave any possibility of injuring them. And he may injure you by failing to put all his promises into the contract.

Clause 20: "If the license herein granted shall apply to an entire group of photoplays offered by the Distributor to the Exhibitor at one time, and not otherwise, the Exhibitor shall have the right to exclude from his contract up to but not exceeding ten per cent of the total number of such photoplays, but only if the exhibitor shall give to the Distributor written notice to such effect at any time not later than fourteen (14) days before the date fixed for the exhibition of any such photoplay, and if at the same time the Exhibitor shall pay to the Distributor one-half of the license fee payable in respect to such photoplay . . ."

The meaning of this clause is so plain that it needs no further clarification. It is the compromise offered by the distributors at the Trade Practice Conference in lieu of the elimination of block-booking and blind-booking. It does not mean anything, because no exhibitor can afford to pay half of the rental of a picture and not play it, when pictures today cost so much. The provision in the same clause that, in case the distributor should sell such rejected pictures to another exhibitor in that locality, he is obligated to reimburse the exhibitor the part he has paid, too, is meaningless, for it is unlikely that another exhibitor should want to play a picture that has been rejected in that locality as unworthy of showing.

In case the picture has been bought on a percentage arrangement, either in whole or in part, then the "one-half" of the rental price must be half of the average rental of the thirty days preceding the date scheduled for the showing of the picture, such half to apply for each day of the entire engagement.

Suppose, for example, that a picture has been bought on, say, five hundred dollars guarantee and fifty per cent for every dollar taken over two thousand dollars of the six-day engagement. Suppose, again, that the engagement is on May 1. It will be necessary for you to add the receipts of every day during the month of April, which has thirty days, and divide the total by thirty. This will give you the average per day for the thirty days. If the average will be four hundred dollars per day, then two hundred dollars will form the basis of the calculation, that is, one-half of the four hundred dollars. For the six days of the engagement, twelve hundred dollars will have to be paid to the distributor, or two hundred dollars for each of the six days.

(To be continued)

TIFFANY-STAHl AND "LUCKY BOY"

Tiffany-Stahl have announced that they are not going to make "Ghetto." Instead, they say that they have made "Lucky Boy," but they are not going to deliver it to those exhibitors that hold a contract for "Ghetto."

Many exhibitors have asked me whether "Lucky Boy" is or is not the same picture as "The Ghetto," for they feel as if Tiffany-Stahl are taking away from them a George Jessel picture.

Let me submit to you all the facts that I have in my possession, and let these speak for themselves:

Tiffany-Stahl sold two George Jessel pictures this season: "The Ghetto" and "George Washington Cohen." "The Ghetto" was described in the 1928-29 season Campaign Book, or Annual Announcement, as follows: "Based on the story 'The Schlemiehl,' by Viola Brothers Shore with a supporting cast including Margaret Quimby, Mary Doran, Gwen Lee, Wm. Strauss. A poor fool who blunders into the lives of others and brings happiness to all." In the Work Sheet it was described as follows: "Based on the story 'Schlemiehl.' Directed by Norman Taurog—with Margaret Quimby, Gwen Lee, Mary Doran, Rosa Rosanova, William Strauss, Gayne Whitman. The story of a poor fool who blunders into the lives of others and brings happiness to all."

The finished product gives Viola Brothers Shore as the author, the same the 1928-29 Campaign Book gave, and the introductory title states that Norman Taurog and Charles C. Wilson directed it. The following players appear besides Mr. Jessel: Rosa Rosanova, William Strauss, Margaret Quimby, Gwen Lee, Mary Doran, and Richard Tucker.

In wading through the old issues of the Hollywood *Filmograph* for a clue, I discovered the fact that production of "The Ghetto" was started on the week of May 5, 1928. The following information was given in the back page of that paper:

Supervisor, Roy Fitzroy; Star, George Jessel; Director, Norman Taurog; Assistant Director, Buck McGowan; Cameraman (no name was given); Story, "Schlemiehl"; Scenarist, Isadore Bernstein; Remarks, Shooting; Type (blank).

In the issue of the same paper of May 12, the same facts are given, except that the title given was "Ghetto," and "Jewish" was written under the column "Type." This meant that it was a Jewish type of story.

The same facts were given in the issue of May 19, when the picture was finished.

Thus you see that "Ghetto" was made. When production of it was finished it was about the time when the talking-picture craze had seized the entire industry. Manifestly Tiffany saw an opportunity to create a rival for Al Jolson and decided to grasp it. And "The Ghetto" offered them a greater opportunity than could have been offered them by any other picture. So they set about to revise it to "talking" conditions. But it is the same story, it has been directed by the same director, and the same cast appears in it.

For several years you were made to believe that it was your duty to support the independent producer-distributors so that the industry might not be "gobbled up" by the big companies. Even a Play-Date Bureau was founded once to help the independents. In my connection with the moving picture industry I have found that the Independents, when they get some power, are worse than the big producers, because they are hungry. Whenever they happen to get a good picture, they always charge you more than the big companies. So this talk about independents is all "bosh"; buy your pictures from the company that has the best quality and gives you a business-like treatment, regardless of how big or how small it may be. The Tiffany-Stahl fiasco, by which they are trying to take away from you a picture you bought and you are entitled to, should be the last straw.

You are entitled to "Lucky Boy" because it is the same picture as "The Ghetto." And you should demand it of Tiffany-Stahl at once, by registered mail. If they refuse to give it to you, take it before the arbitration board if you think you have a chance, or to the courts, if you think that you have no chance. The fact that the law compels you to submit to arbitration once you sign a contract to that effect should not deter you from taking such a step; I am sure no judge will refuse to listen to your plea if you told him that you signed the arbitration clause, not because you wanted to, but because you were forced to; you had to sign it to get film.

Don't let Tiffany-Stahl get away with it!

Incidentally I might inform you that "Broadway Fever" is not "Applause," for the reason that "Applause" was to have been founded on the story "Put and Take," by Edmund Goulding, whereas "Broadway Fever" has been founded on a story by Viola Brothers Shore. It is a clear substitution, and you are not obligated to accept it.

CITY OF ATLANTA
BOARD OF REVIEW
CARNEGIE LIBRARY

December 14, 1928

EDITOR HARRISON'S REPORTS:

Dear Sir:

I wish very heartily to commend your attitude on drinking scenes in motion pictures. It is passing strange that with the Volstead law a part of our Constitution in the picture no dinner party or other function seems complete without an utter disregard of this law. The reaction is such that it would seem that to disregard one law means an indifference to all law.

The Atlanta Board heartily endorses your suggestion as made to the Hays office and to the producers at Hollywood. Success to your efforts!

Very truly yours,

Mrs. Alonzo Richardson,
Secretary to Board of Review.

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SATURDAY, FEBRUARY 16, 1929

No. 7

An Analysis of the Standard Exhibition Contract—No. 7

Twenty-first Clause: "If the Exhibitor shall claim that the exhibition at the theatre hereinafter specified of any photoplay licensed hereunder will be offensive to the public in the place where such theatre is located, because of the racial or religious subject matter, and if the Exhibitor shall give written notice to the Distributor of such claim within a reasonable time prior to the date fixed for the Exhibition thereof hereunder such claim shall be immediately submitted to the Board of Arbitration therein specified..."

Notice that only plays that offend race and religion are excluded; nothing can be done about pictures such as "West of Zanzibar," because no race or religion is literally offended by it. The fact that this picture outrages every human decency is of no consequence; you cannot bring a complaint before the arbitration board.

Since there is no provision in the contract making it possible for you to reject a picture that some person in Hollywood with a perverted idea as to what the American people want to see in moving pictures has made, you may call on every minister, priest and rabbi in your locality and ask them to write to the producer of such picture demanding that he withdraw it from exhibition. If you should do so, I am sure that he will be forced to withdraw it, for no producer will dare defy church people. You may take the matter up also with every women's organization as well as with every organization that will lend you any assistance in ridding your community of a gruesome, morbid, or filthy picture.

Twenty-second Clause: "This instrument shall be deemed an application for a license under the copyright only and shall not be binding until accepted in writing without alteration or change by an officer of or any person duly authorized by the Distributor and notice of acceptance sent to the Exhibitor as herein provided..."

This means that when the Distributor makes any change whatever in the application, after you signed it, without your consent, such application becomes null and void, no matter whether the distributor approved it within or without the time limit for your zone, as specified in the contract. I have had cases brought to my attention where alterations were made. When you receive your contract approved, compare it with the memorandum copy left with you at the time you signed the application. If you should find that changes that are not to your liking have been made in it, notify the distributor immediately by registered mail, that you reject the contracts, giving him your reasons. In case the distributor refuses to accept the cancellation, notify this office.

It seems as if all the rights of the exhibitor under this clause are not quite comprehended by many exhibitors. For instance, some of them think that they have no right to cancel the application at any time before the distributor has approved it. Such a thought is altogether wrong. While it is better for an exhibitor not to sign an application at any time unless he feels sure that he has made a good purchase, yet he has as much right to notify the distributor, before he has approved the application, that he does not want the pictures and desires to have him consider the application void, as has the distributor, who can reject them at any time within the time limit. It is not even unethical for an exhibitor to take such a step; the Distributor has a certain number of days during which he can make up his mind whether he will accept or reject the exhibitor's application, and there is nothing wrong with the exhibitor to notify the distributor that, while the distributor is thinking the matter over, he has made up his mind that he can get along without his pictures.

"This Application and any application for other photoplays of the Distributor or executed by the Exhibitor at

the same time shall, for the purpose of this article only, be deemed one application unless an agreement to the contrary contained in the Schedule is specifically signed by the Exhibitor."

This means that when you buy from one distributor, say 54 features, 10 specials, 60 comedies, 22 scenic, and 52 newsreels, and sign the four or five contracts for them on the same day, the distributor cannot accept some and reject the others. If he should do so, the other contracts are not binding, at your option. In other words, you may accept what he has approved if you want to, but you are not obligated to do so. All you have to do is to notify him, by registered mail, or by telegraph, that you do not want any of his pictures.

In the case of United Artists, the matter differs; they make an exhibitor sign the following provision, which they insert in the contract, by a right contained in the contract agreed upon between the representatives of producers and of exhibitors; it reads: "The Distributor's right to approve or reject this application or any other application signed by the Exhibitor at the same time, or any other time, is not dependent upon the approval or rejection by the Distributor of such other application or this application." In this manner this company can accept any number of the contracts and reject the others. By the same provision, however, United Artists is barred from invoking the "Partial Performance" "unwritten rule" that has so often bound exhibitors to a contract not approved in accordance with its provisions. You are, I am sure, aware of the fact that often an exhibitor starts playing pictures before the contract is approved, and tries to reject such contract if it is sent back to him approved outside the time limit specified in it for his zone; the arbitration boards have invariably ruled that because the exhibitor had performed the contract in part, he acknowledged that he wanted the pictures and was bound to the contract. United Artists cannot invoke such a rule or precedent, for the reason that each contract is a unit; it has no relation whatever to the other contracts.

Some of you sign this provision on the strength of an assurance on the part of the United Artists' salesman that he is sure all the contracts will be approved, and that you will get, along with the other pictures, the picture you really want. If you accept such an assurance, you do an injustice to yourself, for I have found out that the assurances of a United Artists' salesman, or even of a branch manager, are not worth a counterfeit penny, for this reason: United Artists is only a releasing organization; they handle the pictures of different stars or directors, each of whom is a unit, with no correlated interests. Douglas Fairbanks, for example, is not obligated to accept your contract for one of his pictures just because you have bought a Griffith or a Sam Goldwyn picture. Each of these producers has a representative at the Home Office, in New York City, whose business is to go over the contracts and see whether the price offered for the picture of the star he represents is or is not sufficient. If he thinks that you have not paid enough money, he rejects your application, regardless of the action the representative of the other star may take. One has no influence over the other. That is why it is so difficult for you to get an adjustment from United Artists; the request for such an adjustment must be forwarded by the representative to the star; and it never reaches him, for his time is too valuable to waste it looking over requests for adjustments. If he were to do otherwise, he would either have to quit making pictures, because his time would be taken up with such work, or go to a sanatorium for treatment. And he will not go to a sanatorium. So make up your mind, in buying pictures from United Artists, to pay no more than what

(Continued on last page)

"Looping the Loop" (S) with Werner Krauss*(Paramount—UFA; March 16; 6,676 ft.; 76 to 95 min.)*

Evidently UFA tried to make another "Variety," for this is reminiscent of that picture in many respects. Even the star, Werner Krauss, does not look unlike Jannings. There are the many acrobatic scenes of the circus around which the story develops, the hero being a celebrated clown, also a particularly good act is the one in which the heroine and the villain toboggan down an immense slide and land on platforms high above the floor.

The story, another version of the Pagliacci tale, revolves around a famous clown who loves the heroine. But because she had no use for clowns, he pretended to be a nightworker, thus explaining his inability to take her out evenings. When they have a fight because she had attended the circus instead of going to the opera, she joins the villain in his act and they go to London. The hero follows them and discovers that the heroine does not like the villain, who is so madly in love with her. When the villain is killed (or injured) during the act, the hero takes the heroine from the stage, and in his dressing room she discovers that the clown is her sweetheart, and they are both happy.

Jenny Jugo is not a bad-looking heroine. Warwick Ward is the villain. Mr. Krauss is good enough, though he has not the fire of Jannings. Mr. Robinson directed it. A fair program picture.

"Broadway Melody" (AT) with Bessie Love, Anita Page, Charles King and Kenneth Thompson*(M-G-M Superspecial)*

If additional evidence were needed to convince doubting Thomases that the talking picture is here to stay, also that only the surface has so far been scratched, "Broadway Melody" should furnish it. It would have been impossible to make this picture so good without the talk. In quality, one is safe in classing it with "The Singing Fool"; only that it is a different type of story. "The Singing Fool" is a heavy drama; "Broadway Melody" is comedy first, and drama afterwards. But the comedy and the singing predominate. In addition to proving that the talking pictures have come to stay, "Broadway Melody" does another thing; it proves beyond the possibility of any doubt that "Bessie Love" is an actress of the first rank. One may safely compare her with Fannie Brice.

The pathos comes from the efforts of the younger sister (Anita Page) to hide from her elder sister (Bessie Love) as well as from the hero (Charles King) the fact that she loved the hero, who had been engaged to her sister. The fact that she had been so wonderful to her is another reason why she did not want to do anything to hurt her. In trying to hide from her sister the fact that she loved the hero, she was compelled to appear as being ungrateful. She even told her to mind her own business. But the acting is so artistic that the spectator knows why she was acting in the way she did, even though no explanation was offered to the spectator. Intuitively one knows of the motive. This naturally endears Anita Page to the spectator.

But even though there is comedy enough in the picture to satisfy the most exacting picture-goer, and drama enough to add variety to it, there is another feature that rivals the other good features; it is the beauty of some of the scenes—those scenes in which technicolor has been employed. They represent something like the Ziegfeld Follies. It is a most enchanting natural color entertainment.

The story was written by Edmund Goulding. The dialogue was arranged by Norman Houston and James Gleason. It was directed by Harry Beaumont. Jed Poultry, Mary Doran, Eddie Kane, J. Emmett Beck, Marshall Ruth, and Drew Demarest are in the cast.

"Broadway Melody" is truly a big picture, the kind that are produced rarely.

"True Heaven" (S)—with George O'Brien*(Fox, January 20; syn., 5,531 ft.)*

A fairly appealing program picture with the World War as a background for the love affair between the hero, a British officer, and the heroine, a German spy operating back of the Allied trenches, later conveniently transferred within territory occupied by the Germans. The two meet on the Allied side and fall in love with each other. The heroine disappears. Soon the hero is

detailed to enter the German lines and to collect information; he had been chosen because he spoke German fluently. When the hero arrives in German territory dressed as a Bavarian officer, he is taken for what he looked. The heroine, however, meets him, and, being unsuccessful in inducing him to go away, gives him away to the German Command; she puts her love for her country above her love for the hero. The hero is arrested, tried by a courtmartial, and sentenced to be shot. The heroine's efforts to save his life by pleading with the commander are of no avail. Just as the soldiers raise their guns to shoot, word comes that armistice had been declared. The soldiers drop their guns. The hero is let free, and embraces the heroine.

The plot has been founded on a story by C. E. Montague. It was directed by James Tinling. Lois Moran is the heroine. Others in the cast are: Philip Smalley, Oscar Apfel, Duke Martin.

Note: This is a director substitution. See issue of January 26.

"The Flying Fleet" (S)—Ramon Novarro*(M-G-M, Jan. 19; syn., 9,044 ft.; sil., same.)*

This picture is principally a photographic record of the method by which midshipmen, after graduation at Annapolis, become aviators in the United States Navy. Though the action is interesting, at times extremely so, there are whole stretches of it that do not belong to the drama proper; it is the routine of the training. There are times, too, that the action becomes monotonous. Yet, on the whole, the picture is interesting. Even the instructive part of it should interest the average picture-goer. The closing scenes are somewhat a reproduction of the incident of the failure of naval aviators to reach Honolulu from San Francisco, when their aeroplane fell into the water for lack of gasoline, the crew being rescued by the navy. Only that in this instance, Ramon Novarro, as the hero, is given a chance to do the rescuing. The scenes in which he is shown shooting a bullet into the gasoline tank to set the aeroplane afire so that the commander of the battleship might see the fire and rush to his rescue, rescuing at the same time the lost aviators, whom he had located, are extremely thrilling. The sight of the men on the wrecked aeroplane trying to hold on to their ship and on to life wins the spectator's admiration. The friendship between the six midshipmen, among whom was the hero, is sympathy arousing. One of the six, however (the part taken by Ralph Graves), loses considerable sympathy by doing acts that did not live up to the traditions of the Naval Academy. For instance, at one time he is shown letting the hero be punished for an infraction of the rules of which he had been the cause. But the hero's fight to save his life by risking his own is inspiring.

Lieutenant Commander Frank Wead wrote the story. For this reason the incidents are either true to life or have been produced in atmosphere that is true to life. Byron Morgan collaborated with Lieutenant Wead. Anita Page does well as the heroine, with whom the hero as well as one of the six musketeers are in love. Edward Nugent, Carrol Nye, Sumner Getchell, Gardner James, and Alfred Allen are in the cast. Mr. George His has directed it with great skill.

"Sunset Pass"—with Jack Holt*(Paramount; Feb.; 5,862 ft.; 68 to 83 min.)*

A conventionally directed and acted picture along familiar lines makes this just another Western with a little suspense, a few thrills and a love story. Jack Holt gives his usual workmanlike performance as the hero, a U. S. Marshall, rounding up cattle rustlers, who learns their hide-away by serving a six months' jail sentence to get the information from a member of the gang. John Loder, as the leader of the gang, who wanted to go straight but whose wild blood led him to seek thrills in an unlawful manner, is quite attractive and his performance was quite good. Nora Lane, as his sister, in love with the hero, is a charming heroine. Chester Conklin is adequate as the saloonkeeper. The natural landscape is pleasing to the eye.

An amusing situation is one in the country store, where the hero first sees the heroine when she comes to buy material, and he poses as the clerk. There is the usual saloon fight between villain and other hangers-on, the familiar scene of stampeding cattle, even a forest fire from which the heroine is saved by the hero.

Story by Zane Grey; directed by Otto Brower.

"Conquest" (AT) with Monte Blue, H. B. Warner, Lois Wilson, Tully Marshall and Edmund Breese

(Warner Bros., Jan. 19; syn., 6,729 ft.; 74 min.)

Two aviators, in love with the same girl, but one of them (the hero—Monte Blue) carrying away with him her promise of marriage upon his successful return, take off in a big airplane—headed toward the South Pole, where they expected to plant Old Glory. Before reaching their goal, their machine is wrecked. The hero is hurt in the leg to the extent that he cannot walk. His pal, however, loving life more than a principle, abandons him to his fate, to starve and freeze in the inhospitable wastes of the ice-covered South Pole. The hero's pleadings not to leave him to his fate are of no avail.

The pal (villain) returns and profuse honors are bestowed upon him. But he cannot escape his guilty conscience; it constantly reminded him of his dastardly act. He woos the heroine, who finally agrees to marry him with the thought that the hero was no longer in life, and with the idea of doing something for the man who had so "valiantly" tried to rescue the man she loved. But a doctor (Tully Marshall) was not satisfied with the tale of the supposed brave aviator. Asking him to repeat the details of their wreck, he finds an inconsistency in the facts as he told them and as they could really happen, until finally he forces the villain to tell the truth. The doctor suggests to him to reveal the facts to the heroine, and as he refused to do so the doctor goes to the heroine to tell her himself. But before reaching the house, an automobile strikes him and kills him. The villain marries the heroine, safe in the thought that the only man that knew the true story is dead.

The hero, however, suddenly returns. He hears of the honors that were bestowed upon his former pal, and of the story he had told. He calls on him. But is dissuaded from exposing him because it would ruin the life of the woman he loved.

Another expedition is arranged. The two reach the South Pole safely, and when within a few miles of the base ship, the villain, knowing that the hero was the only man that could tell the world what he really was, decides to kill him. He takes a hammer and raises to strike the hero on the head when the hero chances to turn his head. He grapples with the villain. The aeroplane, without control, crashes to the ground. The two thus find themselves in the same position as they were in the first wreck, only that the actors of the drama were reversed. The hero tells the villain that he is going to leave him to die just as he had left him to die in the first wreck. But, after taking a few steps, he returns and takes him along. They reach the supply ship. On the way, however, the villain, realizing how great was the wrong he had done to the hero, and wanting to make amends, makes the ocean his grave. The hero returns and marries the heroine.

Talking pictures may be successful beyond expectation. But successful or not, "Conquest" is not the kind of picture that will please the picture-goers. It is too horrible even to think it, let alone to see and hear it. The story becomes more repulsive because of the fact that we have always considered aviators as superhuman beings and incapable of such villainy. It hurts us deeply to see one of them do what he did, even in a moving picture.

Mary Inlay Taylor's novel forms the foundation of the plot. Roy Del Ruth directed it. Direction, acting and plot construction are of the highest order. The story is not entertaining.

"Red Wine" (S)—with Conrad Nagel and June Collyer

(Fox; Dec. 23; Syn., 6,194 ft.)

Tiresome, with much ado about nothing. Once more the wine flows freely when a good man is induced to go wrong for an evening, and thereby suffer the pangs of remorse in an effort to explain his conduct to his unsuspecting wife. To be sure, Mr. Nagel gives a splendid performance as the staid business man who allowed himself to be persuaded by his friend to become a good fellow and join a party, thus getting so intoxicated that when he was put to bed by his friends with the room draped in women's finery, his awakening became a nightmare and he decided never to do it again. Miss Collyer is charming in her small role as the hero's wife.

Others in the cast are Arthur Stone, as the bachelor friend who staged wild parties, and Sharon Lynn, as the hero's secretary, who helped also to make the hero have a good time.

Raymond Cannon directed the picture exceedingly well and in rather a fantastic fashion, especially in the situations where the hero, asleep, dreams that he is being made love to by the various women who had thought he was Santa Claus when he gave each of them a big tip.

The synchronization was pleasing.

Note: This is a substitution. See issue of January 26.

"Broadway Fever"—with Sally O'Neill

(Tiffany-Stahl; Jan. 1; 5,412 ft.; 62 to 77 min.)

Bore some! It is artificial and uninteresting. Sally O'Neill acts alright, if a bit ridiculous in spots. Roland Drew, as the hero, is not particularly good. Corliss Palmer, as the other girl, does not add to the picture.

It is the familiar story of the stage girl, who, for lack of a chance, takes the position of housemaid. This happens to be in the home of a celebrated producer, with whom she falls in love. After misdirecting the star of the play he was about to put on, the heroine takes the role, only to lose it when the hero discovers her. She returns to his home and, after being offered an insulting proposal, she decides it is better to be a housemaid than to accept a position under such conditions, and so leaves. But the hero learns that he loves her, and so everything is alright when they agree to get married.

The story is by Viola Brothers Shore. It was directed by Ed. Cline.

Note: It is a story substitution, in that the story was sold as an Edmund Goulding and is being delivered as a Viola Brothers Shore. You are not obligated to accept it.

"Object—Alimony"—with Lois Wilson

(Columbia, Dec. 22; 6,226 ft.; 73 to 89 min.)

The story is of the kind that have been done on the screen innumerable times, but it has been treated so well that it makes the spectator take an interest in the fate of the principal characters, chiefly of the heroine. The closing scenes, in particular, are tenderly pathetic; they show the heroine reconciled with her husband, who had been estranged from her because of the machinations of his mother. The introduction of Dicky Moore, a little boy, perhaps no more than two and a half years old, as the little son of the heroine with her estranged husband, is very effective; he is a charming little child and captivates the spectator.

The story, which is by Elmer Harris, presents the heroine as a saleswoman in a dry goods store, earning no more than enough to keep body and soul together. The hero, son of the owner (a widow) of the store, sees her and falls in love with her. She, too, learns to love him. They marry. The mother is shocked that her son should have married a shop girl and refuses to acknowledge her. The hero takes his wife and goes away. They live happily out of his earnings. The mother conceives a plan to estrange hero and heroine; she hires a young man (villain) that was making love to her to call on her and to try to make love to her. The hero finds his wife in the arms of the villain and thinks that she has been unfaithful to him. He abandons her and goes back to his mother. But soon he relents and searches for the heroine, but in vain. She gave birth to a child. In the rooming house where she had been secluded lived a writer who could not succeed in selling any of his stories, because none possessed human interest. The plight of the heroine gives him the necessary inspiration to write a story, which is accepted. He is asked to put his story into play form, but he would not do so unless the heroine shared the honors and the receipts. It is after the first performance of the play when the heroine, answering the request of the crowd for the appearance of the author, appeared, that the hero learned for the first time of her whereabouts. He calls on her. She refuses to see him at first. Then the hero's mother calls on her and succeeds in getting a forgiveness, not only for herself, but also for her son. The hero is joyful when after the reconciliation learns that he was a father, the father of the charming little boy he had met at the lobby of the hotel.

Miss Wilson is good, as always. Hugh Allan is good in the hero's part, which is somewhat unsympathetic. Ethel Grey Terry is the mother.

Good program material.

each picture is worth, and not to think that you will get all the pictures just because the salesman said so.

Another question that has been asked of this paper in reference to the fact that all contracts bought from a particular distributor and signed on the same day must be accepted or rejected together is whether the life of the entire contract group starts from the time the first picture on any contract of the group was played or not. It does not for when it comes to considering the life of these contracts, each contract is a separate unit. The only time the entire group may be considered as one contract is when an approximate provision is written in every one of the contracts, and each contract is given a serial number, starting with "No. 1." The following should be considered an appropriate provision: "This contract, which is numbered 1 (or 2, or 3, as the case may be) is part of a series of three, (or four, or more, as the case may be) contracts, and must be considered as one contract."

SUBSTITUTION AND THE LAW ON MISREPRESENTING ADVERTISING

The producer-distributors assert that a description as to the story, theme, star, cast, or director, given in a Work Sheet or in any other piece of literature, is invalid unless it is contained in the Schedule of the contract. Accordingly, they declare that an exhibitor has not right to reject a picture if it has been founded upon another story, or has another star or cast, or has been directed by a different director from those given in the Work Sheet or in any other piece of literature. They point out to the Clause 10 of the contract to sustain their position.

As in the case of Fox, who asserts that you have to accept his substitutions because of the "tentative" provision in his Work Sheet, so in the case of the other distributors, we accept the challenge.

When a distributor, resident of this state, attempts to deliver a picture to you different from the description in a piece of literature, whether it be Work Sheet, Campaign Book or a pencil notation, he commits a misdemeanor. The New York State Law (Sec. 421—Penal Law—UNTRUE AND MISLEADING ADVERTISING) is specific on this point; it read as follows:

"Any person, firm, or corporation or association, or agent or employe thereof, who, with intent to sell or in any wise dispose of merchandise, real estate, securities, service, or anything offered by such person, firm, corporation, or association, or agent or employe thereof, directly or indirectly, to the public for sale or distribution, or with intent to increase consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, makes, publishes, disseminates, circulates, or places before the public or causes, directly or indirectly, to be made, published, disseminated, circulated or placed before the public, in this state, in a newspaper, magazine or other publication, in the form of a book, notice, circular, pamphlet, letter, handbill, poster, bill, sign, placard, card, label, or tag, or in any other way, an advertisement, announcement or statement of any sort regarding merchandise, securities, service or anything so offered to the public which advertisement contains any assertion, representation or statement of fact which is untrue, deceptive or misleading shall be guilty of a misdemeanor."

You can see from this that a substitution is fully covered by this law, and all a citizen of this state has to do when he is offered a picture different from the description originally given is to go to the district attorney of his county and make a formal complaint.

Just to illustrate to you how powerful is this law I may call your attention to the case of "THE PEOPLE OF THE STATE OF NEW YORK against GEORGE A. SIPP," tried in the Court of Special Sessions of the City of New York, in the spring of 1917, on an accusation by District Attorney Edward Swan of the crime of "UNLAWFULLY MAKING AN UNTRUE AND MISLEADING ADVERTISEMENT," committed as follows:

On February 2, 1917, Mr. Sipp sent a circular letter containing the following:

"Would you be interested in a Gentlemen's Hudson Seal-Lined Overcoat, with a large seal collar to match; Black Imported Broadcloth Shell for \$30? These garments were ordered and made for this season's trade, but owing to the late Winter up until now, some of the retail stores have canceled part of their order and we do not care to carry them over till next fall. They were

made to retail for \$125 and are offered for sale now in some of our leading shops at that price . . ."

Despite the District Attorney's assertion in the complaint that the overcoat offered was not worth the price the advertisement claimed, and that it was not worth more than \$22, it came to light at the trial that the value offered by Mr. Sipp was greater than he charged for it. And yet, he was convicted, on the ground that the advertisement was misleading. He was given the choice of \$250 or thirty days in jail.

The case was taken to the Appellate Division, and the conviction was affirmed. Later it was taken to the Court of Appeals, but again the conviction was affirmed.

This should prove to the producer-distributors that they cannot lightly promise one thing and deliver another; it is misleading advertising.

They may assert that, at the time they make their representations about a picture, they do not intend to mislead; but the courts may declare them guilty upon complaint by any exhibitor, if they should insist that the exhibitor accept a picture, even though it is different from the description in the Work Sheet, or in the Annual Announcement, or in any other piece of literature, regardless of what interpretation they may give to Clause 10 of the Standard Exhibition Contract; for two or more persons cannot nullify a law by any contract or agreement, such as is the agreement about the provisions of the contract, made by representatives of producer-distributors and exhibitors.

The representative of a big distributor told me last week that, inasmuch as they make many changes in the Work Sheets during a selling season, the exhibitor cannot tell by what Work Sheet's representations he bought the pictures. Such an assertion, however, cannot relieve a distributor from the responsibility of delivering a picture in accordance with the description in the Work Sheet, if no facts are contained in the contract, for the following reasons:

When a producer decides to make a certain change in a picture, he so informs the head of his distribution department. The distribution department then telegraphs or telephones the information to all the branch offices, and the salesmen in the field are notified of the changes. All contracts and Works Sheets, then, are changed. If the salesmen fail to change them, it is their fault, and not of the exhibitor, who buys a picture according to certain specifications.

It is true that pictures are sold between the time the changes are decided upon and the time the information reaches the men in the field. But the Home office can get around such a difficulty by either rejecting the contract when it gets to them or requesting the exhibitor to sign another set of applications. If the Home Office should approve the applications without taking either step, it must deliver the pictures in accordance with the old specifications. Remember that the distributor is relieved from the obligation of delivering a picture he does not make, but he is not relieved of the responsibility if he should try to deliver a picture in which a substitution has been made either in the author, theme, star, cast, or in the director.

You should look up the laws of your state covering misleading and misrepresenting advertising, and should any distributor try to force you to accept a substitute picture, ask the opinion of your lawyer whether you should make a formal complaint to the district attorney of your city or not. He will advise you. Just pin this into your mind: When changes in a picture are decided upon by the producer, such changes must be noted on the contracts before the exhibitor is requested to sign them. When no facts are given in a contract, then any description given in any piece of literature can be brought as an evidence by you to prove that the distributor is not delivering the picture in accordance with his promises. If he should insist that you accept such picture as changed, he may commit a misdemeanor. In such an event, your lawyer may advise you to go to the District Attorney instead of appearing before the arbitration board, for the reason that arbitration boards cannot try an offense against the people of your state; that is a prerogative only of the criminal courts.

SUBSTITUTIONS

"THE FAKER"

(Columbia.)

This is a story substitution; it was promised with Rupert Hughes as the author, but Howard Green has written the story of the finished product. You don't have to accept it.

IN TWO SECTIONS—SECTION TWO
HARRISON'S REPORTS

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**FEATURE PICTURE RELEASE
SCHEDULES**

NOTE: "S" means that the picture is synchronized with music and possibly fitted with sound effects; "PT" (Part Talk) means that the characters talk in some of the situation; "MT" (Mostly Talk) means that the characters talk in fifty per cent or more of the picture; "AT" (All Talk) means that the characters talk all the way through the picture; "AT*" (with one star) means that there is no silent version with that picture. Where "F" is used, it means that the sound is only on film; where "D" is used, the sound is only on disc.

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The Lone Wolf's Daughter (PT)—Lytell (reset) ..	Feb. 18
The Younger Generation (AT)—Hersholt (re.) ..	Mar. 4
The Quitter—B. Lyon-D. Revier	Mar. 10
Trial Marriage (S)—N. Kerry-S. Eilers	Mar. 18
The Wildcat (Tent)—O. Borden-R. Graves	Mar. 30

Excellent Features

Broken Barriers—H. Costello-G. Glass	Nov. 1
Daughters of Desire—I. Rich-J. Nash	Dec. 20
Montmartre Rose—M. de la Motte	Jan. 15
Roses of Picardy—Rex Ingram Prod.	Feb. 15

**First National Picture Release
Schedule and Exhibition Values**

444 Harold Teen—Apr. 29	900,000B	900,000P
449 Lady Be Good—May 6	900,000B	900,000P
456 Vamping Venus—May 13	1,100,000B	1,100,000P
435 Yellow Lily—May 20	1,100,000B	1,200,000P
442 The Hawk's Nest—May 27	950,000B	950,000P
457 The Upland Rider—June 3	700,000B	700,000P
460 Three Ring Marriage—June 10	800,000B	800,000P
438 Wheel of Chance—June 17	1,300,000B	1,300,000P
429 Happiness Ahead—June 24	1,300,000B	1,300,000P
466 Code of Scarlet—July 1	700,000B	700,000P
539 Good-Bye Kiss (S)—July 8		Special
454 The Head Man—July 15	1,100,000B	1,100,000P
458 Heart to Heart—July 22	800,000B	800,000P
513 Strange C. of Ramper—July	29,900,000B	900,000P
463 The Wright Idea—Aug. 5	800,000B	800,000P
427 Heart Trouble—Aug. 12	1,000,000B	800,000P
439 Out of the Ruins—Aug. 19	1,300,000B	1,300,000P
430 Oh Kay—Aug. 26	1,300,000B	1,300,000P

(1928-29 Season)

551 Butter and Egg Man—Sept. 2		Special
490 Night Watch (S)—Sept. 9	1,100,000B	1,200,000P
496 Waterfront (S)—Sept. 16	900,000B	900,000P
502 Show Girl (S)—Sept. 23	1,000,000B	1,000,000P
552 The Whip (S)—Sept. 30		Special
495 The Crash (Hard Rock)—Oct. 7		950,000B
507 Do Your Duty—Oct. 14		900,000B
538 Companionate Marriage—Oct. 21		Special
514 Glorious Trail—Oct. 28		700,000B
482 The Haunted House (S)—Nov. 4		800,000B
478 Outcast (S)—Nov. 11		1,300,000B
541 Lilac Time (S)—Nov. 18		Special
512 The Ware Case—Nov. 25		600,000B
489 Adoration (Pleas. Bound)—Dec. 2 (reset) ..		1,100,000B
484 Scarlet Seas (S) (Mutiny)—Dec. 9		1,300,000B
504 Naughty Baby (Ritzzy Rosie)—Dec. 16 ..		900,000B
515 Phantom City—Dec. 23		700,000B
543 The Barker (PT)—Dec. 30		Special
521 Synthetic Sin (S)—Jan. 6		Special
511 Dancing Vienna—Jan. 13		700,000B
No release on January 20.		
491 7 Footprints to Satan (S) (reset)—Jan. 27 ..		800,000B
518 Cheyenne—Feb. 3		700,000B
553 His Cap. Woman (Changeling) (PT) Feb. 10 ..		Special
497 Children of the Ritz (S)—Feb. 17		900,000B
492 Love & Devil (Capt. of Strong) (S) Feb. 24 ..		950,000B
517 Lawless Legion—Mar. 3		700,000B
522 Why Be Good (S)—Mar. 3		Special
480 Saturday's Children (PT)—Mar. 10		Not set
555 Man and Moment (PT) (La Tosca)—Mar. 17 ..		Special
503 Hot Stuff (PT) (Bluffers)—Mar. 24		Not set
550 The Divine Lady (S) (reset)—Mar. 31		Special
485 Weary River (PT)—Apr. 7		Special

Fox Features

42 Sunrise (S)—Gaynor-O'Brien	Nov. 4
Deadwood Coach—Tom Mix (re-issue)	Nov. 4
1 Romance of Underworld (S)—Astor-Boles ..	Nov. 11
6 Prep and Pep (S)—Rollins-Drexel	Nov. 18
Taking a Chance—Rex Bell-Lola Todd	Nov. 18
29 Riley the Cop (S)—McDonald-Drexel-Rollins ..	Nov. 25
44 The Red Dance (S)—Del Rio-Farrell	Dec. 2
Just Tony—Tom Mix (re-issue)	Dec. 2
8 Blindfold (Case Mary Brown) (Fog) Moran ..	Dec. 9
9 Homesick—Sammy Cohen-Beebe	Dec. 16
17 Red Wine (Husbands Are Liars) Collyer	Dec. 23
7 Great White North (S) (Lost in the Arctic) ..	Dec. 30
34 Captain Lash (S)—McLaglen-Windsor	Jan. 6
Sky High—Tom Mix (re-issue)	Jan. 6
30 True Heaven (S) (False Col's)—O'Brien (re.) ..	Jan. 20
In Old Arizona (AT)—Baxter-Lowe-Burgess ..	Jan. 20
32 Fugitives (S) (Exiles) (Wise Baby)—Bellamy ..	Jan. 27
22 The Sin Sisters (S) (Broadway Sally)—Gray ..	Feb. 3
Just Tony—Tom Mix (Reissue)	Feb. 3
33 Making the Grade (S)—Lowe-Moran	Feb. 10
31 New Year's Eve (S) (Strong Arm)—Astor	Feb. 17
The Ghost Talks (PT)—Helen Twelvetrees	Feb. 24
36 Strong Boy (S) (The Baggage Smasher)	Mar. 3
Rough Riding Romance—Tom Mix (Reissue) ..	Mar. 3
5 Girls Gone Wild (S) (Girls Who Will)	Mar. 10
Hearts in Dixie (AT)—Reed-Howe	Mar. 10
13 Nobody's Children (PT)—Helen Twelvetrees ..	Mar. 10
The Grouch Bag (S)—Louise Dresser	Mar. 24
4 Speakeasy (AT)—Lola Lane-Paul-Page	Mar. 24

Gotham Features**(1928-1929 Season—No earlier Releases)**

Times Square (PT)—Day-Lubin Feb. 1
 River Woman (PT)—J. Logan-Barrymore Feb. 1
 A Modern Sappho (PT)—Betty Bronson Not Set
 Knee High (AT)—Virginia Lee Corbin Not Set
 Father and Son (AT)—Beery Sr.-Beery, Jr. Not Set
 Girl From Argentine (AT)—Carmel Myers Not Set

Metro-Goldwyn-Mayer Features

901 The Baby Cyclone—Cody-Pringle Nov. 3
 821 White Shadows of the South Seas (S) Nov. 10
 930 Masks of the Devil (S)—J. Gilbert Nov. 17
 943 The Bushranger—Tim McCoy Nov. 17
 939 West of Zanzibar (S)—Lon Chaney Nov. 24
 645 Dream of Love (sold also '25-26 group) Niblo Dec. 1
 951 Spies (German Prod)—Willy Fritsch Dec. 8
 937 A Woman of Affairs (S)—Gilbert-Garbo Dec. 15
 826 Lady of Chance (S) (Little Angel)—Shearer Dec. 22
 950 Honeymoon—Flash Dec. 29
 952 The Trail of '98 (S)—Dolores Del Rio Jan. 5
 944 Morgan's Last Raid—Tim McCoy Jan. 5
 903 Single Man—Cody-Pringle Jan. 12
 933 The Flying Fleet (S) (Gold Braid)—Novarro Jan. 19
 915 Alias Jimmy Valentine (PT)—Wm. Haines Jan. 26
 948 The White Sister—L. Gish Feb. 2
 912 All at Sea—Dane-Arthur Feb. 9
 932 The Loves of Casanova—Mosjoukine Feb. 16
 929 Wild Orchids (S) (Heat)—Garbo-Asther Feb. 23
 904 The Bellamy Trial (PT)—Joy-Bronson Mar. 2
 945 Overland Telegraph—Tim McCoy Mar. 2
 931 Desert Nights (S) (Thirst)—J. Gilbert Mar. 9
 916 The Duke Steps Out (PT)—Haines-Crawford Mar. 16
 909 Tide of Empire (S)—Adoree-Duryea Mar. 23
 906 Bridge San Luis Rey (PT)—Torres-Damita Mar. 30

Paramount Features

2820 Woman from Moscow (S)—Negri-Kerry Nov. 3
 2838 Huntingtower (BRIT)—Sir Harry Lauder Nov. 3
 2824 Avalanche—Jack Holt-Hill-Baclanova Nov. 10
 2821 His Private Life—A. Menjou Nov. 17
 2866 Manhattan Cocktail (S)—Arlen-Carroll Nov. 24
 2815 Someone to Love—Rogers-Brian Dec. 1
 2856 Three Weeks Ends—Clara Bow Dec. 8
 2811 What a Night!—Daniels Dec. 22
 2859 Sins of the Fathers (PT)—E. Jannings Dec. 29
 2851 Wings (S)—Clara Bow-Buddy Rogers Jan. 5
 2871 Interference (AT)—Brent-Brook-Powell Jan. 5
 2880 Abie's Irish Rose (PT)—Rogers-Carroll Jan. 5
 2879 Behind the German Lines (S) Jan. 12
 2875 The Shopworn Angel (PT)—Cooper-Carroll Jan. 12
 2869 The Case of Lena Smith—Esther Ralston Jan. 19
 2885 The Doctor's Secret (AT*)—Chatterton Jan. 26
 2822 Marquis Preferred—A. Menjou Feb. 2
 2825 Sunset Pass—Jack Holt-C. Conklin Feb. 9
 2861 Wolf of Wall St. (ATF)—Bancroft-Carroll Feb. 9
 2865 Canary Murder Case (ATF)—Powell-Hall Feb. 16
 2840 The Homecoming (SD)—Hanson-Parlo Feb. 16
 2883 Night Club (ATD)—Brice-Rooney Feb. 23
 2884 Pusher-In-The-Face (ATD)—Hitchcock Feb. 23
 2886 The Dummy (ATF)—Chatterton-March Feb. 23
 2867 Redskin (SD)—R. Dix-G. Belmont Feb. 23
 2827 The Carnation Kid (MTD)—D. MacLean Mar. 2
 2864 Wolf Song (PTD)—Cooper-Velez-Wolheim Mar. 2
 2863 Tong War (Chinat'n Nights) (ATF) Beery Mar. 9
 2841 Looping the Loop (SD)—(Ger.)—Krauss Mar. 16
 2872 The Letter (ATD)—Eagels-Heggie Mar. 16
 2888 Hole in the Wall (ATF)—Colbert-Robinson Mar. 23
 2889 Close Harmony (ATF)—Rogers-Carroll Mar. 30

Pathe Features

9532 Marked Money—Jr. Coghlan Nov. 4
 9531 Sal of Singapore (PT)—P. Haver Nov. 11
 9514 Annapolis (PT)—Loff-Brown Nov. 18
 9512 Love Over Night—R. LaRocque Nov. 25
 9518 Ned McCobb's Daughter (S)—I. Rich Dec. 2
 9538 The Shady Lady (PT)—P. Haver Dec. 16
 9622 The Border Patrol—Harry Carey Dec. 23
 9517 The Spieler (PT)—A. Hale-R. Adoree Dec. 30
 9543 Geraldine (PT)—Quillan-Nixon Jan. 16
 9611 Sin Town—Elinor Fair Jan. 20
 9534 Noisy Neighbors (PT)—Quillan-Vaughn Jan. 27
 9672 45 Calibre War—Don Coleman Feb. 17
 9537 The Leatherneck (PT)—Wm. Boyd Feb. 24
 9533 The Office Scandal (PT)—P. Haver Mar. 3
 9541 Square Shoulders (PT)—Jr. Coghlan Mar. 10
 9641 Hawk of the Hills—A. Ray-W. Miller Mar. 17
 9524 Strange Cargo (AT)—All Star Mar. 31
 9523 The Godless Girl (PT)—All Star Mar. 31

Rayart Features

Should a Girl Marry?—Helen Foster-D. Keith Nov.
 Ships of the Night—J. Logan-Sojin Dec.
 The Black Pearl—L. Lee-R. Hallor Jan.
 When Dreams Come True—H. Costello-Lease Jan.
 Brothers—C. Keefe-B. Bedford Feb.
 Some Mother's Boy—M. Carr-J. Robards Feb.
 Shanghai Rose—I. Rich-R. Walling Mar.

RKO (FBO) Features

9242 Rough Ridn' Red—Buzz Barton Nov. 4
 9293 Tracked—Ranger Nov. 4
 9206 Sinners in Love—O. Borden-H. Gordon Nov. 4
 9207 His Last Haul—S. Owen-T. Moore Nov. 11
 9212 Taxi 13 (PT)—Conklin-Sleeper Nov. 18
 9223 Tyrant of Red Gulch—Tom Tyler Nov. 25
 9252 King Cowboy—Tom Mix Nov. 26
 9208 Stolen Love—M. Day-O. Moore Dec. 2
 9204 Tropic Madness—A. Q. Nilsson Dec. 9
 9216 Blockade (PT)—A. Q. Nilsson Dec. 16
 9231 Heading for Danger—Bob Steele Dec. 16
 9243 Orphan of the Sage—Buzz Barton Dec. 23
 92017 Hey Rube—Trevor-Olmstead Dec. 23
 92011 The Air Legion—Lyon-Sleeper Jan. 6
 9292 Fury of the Wild—Ranger Jan. 6
 92012 Voice of the Storm Jan. 13
 9224 Trail of the Horse Thieves—Tom Tyler Jan. 13
 92013 The Yellowback—Moore-Owen Jan. 20
 9253 Outlawed—Tom Mix Jan. 21
 92024 Hardboiled—O'Neill-R. Ince Feb. 3
 9334 Come and Get It—Bob Steele Feb. 3
 92015 The Jazz Age—Day-Fairbanks, Jr. Feb. 10
 9244 The Vagabond Cub—Buzz Barton Feb. 10
 92016 The Red Sword—Marian Nixon Feb. 17
 9294 The One Man Dog—Ranger Mar. 3
 9225 Gun Law—Tom Tyler Mar. 3
 92019 Love in the Desert—O. Borden-N. Beery Mar. 17
 9254 The Drifter—Tom Mix Mar. 18
 9245 The Freckled Rascal—Buzz Barton Mar. 31

Tiffany-Stahl Features

The Cavalier (S)—R. Talmadge-B. Bedford Nov. 1
 The Floating College—S. O'Neill-B. Collier Nov. 10
 The Gun Runners—R. Cortez-N. Lane Nov. 20
 Marriage By Contract (S)—Patsy Ruth Miller Dec. 1
 Tropical Nights—P. R. Miller-MacGregor Dec. 10
 George Washington Cohen—Geo. Jessel Postponed
 The Man In Hobbles—J. Harron-L. Lee Dec. 20
 Broadway Fever (Applause—Sally O'Neil (reset) Jan. 1
 Lucky Boy (Ghetto) (PT)—Geo. Jessel (reset) Feb. 2
 The Spirit of Youth—D. Sebastian-L. Kent Feb. 10
 The Rainbow (S)—D. Sebastian-L. Gray Feb. 15
 The Devil's Apple Tree—Sebastian-Kent (reset) Feb. 20
 Molly & Me (Reputation) (PT)—Bennett-Brown Mar. 1

United Artists

The Awakening (S)—Banky (reset) Nov.
 Revenge—D. Del Rio Nov. 4
 The Rescue (S)—R. Coleman (reset) Jan. 12
 Lady of Pavements (PT)—Velez-Boyd (reset) Feb. 16
 The Iron Mask (PT)—D. Fairbanks (reset) Mar. 9
 Coquette (AT)—Mary Pickford Mar. 30

Universal Features

A5741 Man Who Laughs (S)—Philbin-Veidt Nov. 4
 A5736 Jazz Mad—Hersholt-Nixon Nov. 11
 A5743 The Danger Rider—Gibson Nov. 18
 A363 Two Outlaws—Rex-Perrin Nov. 18
 A5742 Phyllis of the Folies—M. Moore Nov. 25
 A5774 Melody of Love (AT)—Pigeon-Harris Dec. 2
 A369 The Hero of the Circus—Maciste Dec. 2
 A5752 Red Lips—Rogers-Nixon Dec. 2
 A5750 The Gate Crasher—G. Tryon Dec. 9
 A361 Beauty and Bullets—Wells Dec. 16
 A5745 Give and Take (PT)—Sidney-Hersholt Dec. 23
 A5756 Honeymoon Flats—Lewis-Gulliver Dec. 30
 A5772 King of the Rodeo—Gibson Jan. 6
 A5758 The Last Warning (PT)—LaPlante Jan. 6
 A5748 Man, Woman and Wife (S)—Kerry-Starke Jan. 13
 A366 The Sky Skidder—Wilson Jan. 13
 A5773 Lonesome (PT)—Tryon-Kent Jan. 20
 A5752 Silks and Saddles—M. Nixon Jan. 20
 A5766 Red Hot Speed (PT)—Denny Jan. 27
 A367 Grit Wins—Wells Jan. 27
 A5764 The Girl on the Barge (PT) O'Neil Feb. 3
 A5737 Burning the Wind—H. Gibson Feb. 10
 A368 Wild Blood—Rex-Perrin Feb. 10

A5759 The Kid's Clever—G. Tyron	Feb. 17
A364 Wolves of the City—Cody-Blane	Feb. 24
A5755 The Shakedown (PT)—Murray Kent.....	Mar. 3
A5747 Clear the Decks (PT)—R. Denny.....	Mar. 10
A370 Born to the Saddle—Wells	Mar. 10
A5751 Cohens and Kellys in A. C. (PT)—Sidney.....	Mar. 17
A5768 The Charlatan (PT)—All Star	Mar. 24
A371 Slim Fingers—Cody-Thompson	Mar. 24
A5763 Haunted Lady (Dangerous Dimples) (T)—LaPlante	Mar. 31

Warner Bros. Features

235 Land of the Silver Fox (PT)—Rin-Tin-Tin.....	Nov. 10
225 Beware of Bachelors (PT)—A. Ferris.....	Dec. 1
The Home Towners (AT)—R. Bennett.....	Dec. 15
On Trial (AT)—P. Frederick-B. Lytell.....	Dec. 29
The Singing Fool (MT)—Al Jolson.....	Jan. 1
230 The Little Wild Cat (PT)—Audrey Ferris.....	Jan. 5
My Man (MT)—Fannie Brice	Jan. 12
Conquest (AT)—Blue-Warner	Jan. 19
Million Dollar Collar (PT)—Rin-Tin-Tin.....	Feb. 9
221 Fancy Baggage (PT)—A. Ferris	Feb. 23
Stark Mad (AT)—All Star	Mar. 2
219 The Greyhound Limited (PT)—Monte Blue.....	Mar. 23

**ONE AND TWO REEL COMEDY
RELEASE SCHEDULES****Educational—One Reel**

In the Morning—Dent-Cameo	Dec. 30
What a Trip—Dent-Cameo	Jan. 13
Dumb—and How—Thatcher-Allen-Young-Cameo.....	Jan. 27
Served Hot—Cameo-Bowes	Feb. 10
Pep Up—Cameo-Bowes	Feb. 24

Educational—Two Reels

Social Prestige—Collins-Mermaid	Dec. 23
The Air Derby—Howes-Farrell	Jan. 6
Husband's Must Play—Lupino-Tuxedo	Jan. 6
Going Places—Davis-Mermaid	Jan. 13
Only Me—Lupino Lane	Jan. 20
Beauties Beware—Drew-Ideal	Jan. 27
The Fixer—Big Boy Juvenile	Feb. 3
Whoopie Boys—Collins-Mermaid	Feb. 10
Auntie's Mistake—D. Devore	Feb. 17
The Cloud Patrol—Howes-Farrell	Feb. 24

Fox—One Reel

Storied Palestine	Dec. 23
The Harvest	Jan. 6
Ends of the Earth	Jan. 20
North of the Battery.....	Feb. 3
King Cotton	Feb. 17
Bavaria	Mar. 3
Dogs	Mar. 17
Monaco	Mar. 31

Metro-Goldwyn-Mayer—One Reel

Kisses Come High—Oddity (reset).....	Dec. 8
Strange Prayers—Oddity	Dec. 22
Napoleon's Homeland—Oddity	Jan. 5
Uphill & Down—Oddity	Jan. 19
Dying Jungles—Oddity	Feb. 2
Secret Boozehounds—Oddity	Feb. 16
An Ancient Art—Oddity	Mar. 2
Allah L'Allah—Oddity	Mar. 16
Jungle Orphans—Oddity	Mar. 30

Metro-Goldwyn-Mayer—Two Reels

We Faw Down (S)—Laurel-Hardy.....	Dec. 29
Going Ga Ga—All Star	Jan. 5
Election Day—Our Gang	Jan. 12
Manchu Love—Events.....	Jan. 12
Ruby Lips (S)—Chase	Jan. 19
Liberty (S)—Laurel-Hardy	Jan. 26
Pair of Tights—All Star	Feb. 2
Noisy Noises (S)—Our Gang	Feb. 9
Off to Buffalo (S)—Charley Chase.....	Feb. 16
Wrong Again (S)—Laurel-Hardy	Feb. 23
When Money Comes (S)—All Star	Mar. 2
The Holy Terror (S)—Our Gang	Mar. 9
Loud Soup—Charley Chase	Mar. 16
That's My Wife (S)—Laurel-Hardy	Mar. 23
Why Is a Plumber?—All Star	Mar. 30

Paramount—One Reel

Cow Belles—Krazy Kat	Jan. 8
No Eyes Today—Inkwell Imps	Jan. 12
Hospitalities—Krazy Kat	Jan. 19
Noise Annoys Koko—Inkwell Imps.....	Jan. 26
Reduced Weights—Krazy Kat	Feb. 2
Koko Beats Time—Inkwell Imps	Feb. 9
Flying Yeast—Krazy Kat	Feb. 16
Koko's Reward—Inkwell Imps	Feb. 23
Vanishing Screams—Krazy Kat	Mar. 2
Koko's Hot Ink—Inkwell Imps	Mar. 9
A Joint Affair—Krazy Kat	Mar. 16
Koko's Crib—Inkwell Imps	Mar. 23
Sheepskinned—Krazy Kat	Mar. 30

Paramount—Two Reels

Why Gorillas Leave Home—Vernon	Jan. 12
Happy Heels—Dooley	Jan. 19
Papa Spank—MacDuff	Feb. 2
Footlight Fanny—Chorus Girl	Feb. 9
His Angel Child—Vernon	Feb. 16
Off the Deck—Dooley	Feb. 23
Are Scotchmen Tight?—MacDuff	Mar. 2
Tight Places—Chorus Girl	Mar. 9
Turn Him Loose—Vernon	Mar. 16
Crazy Doings—Dooley	Mar. 23
Single Bliss—MacDuff	Mar. 30

Pathe—Two Reels

Clunked on the Corner—Sennett—J. Burke	Jan. 6
All Aboard—Smitty	Jan. 13
Baby's Birthday—Sennett-Smith	Jan. 20
Uncle Tom—Sennett—De Luxe	Jan. 27
Calling Hubby's Bluff—Sennett	Feb. 3
Circus Time—Smitty	Feb. 10
A Day's Pleasure—Charlie Chaplin (re-issue).....	Feb. 10
Taxi Spooks—Sennett-Cooper	Feb. 17
Button My Back—Sennett-B. Bevan	Feb. 24
Ladies Must Eat—Sennett-J. Burke	Mar. 3
No Children—Smitty	Mar. 10
Foolish Husbands—Sennett	Mar. 17
The Rodeo—Sennett De Luxe	Mar. 24
Matchmaking Mamas—Sennett-Girls	Mar. 31

RKO (FBO)—One Reel

8 Seeings Believing—Curiosity	Jan. 2
9 Pot Pourri—Curiosity	Jan. 16
10 Actualities—Curiosity	Jan. 30
11 Birds and Beasts—Curiosity	Feb. 13
12 Novelties—Curiosity	Feb. 27

RKO (FBO)—Two Reels

Runnin' Thru the Rye—Barney Google	Jan. 27
Big Hearted Toots—Toots and Casper	Feb. 3
Mickey's Explorers—Mickey McGuire.....	Feb. 17
Sunshine's Dark Moment—Barney Google.....	Feb. 24
Casper's Night Out—Toots and Casper	Mar. 3
Mickey's Menagerie—Mickey McGuire	Mar. 17
Neigh, Neigh, Spark Plug—Barney Google.....	Mar. 24

Universal—One Reel

Homeless Homer—Oswald Cartoon	Jan. 7
Shadows—Novelty	Jan. 14
Yankee Clippers—Oswald Cartoon	Jan. 21
Whose Baby—Horace in Hollywood	Jan. 28
Henfruit—Oswald Cartoon	Feb. 4
Ragdoll—Novelty	Feb. 11
Sick Cylinders—Oswald	Feb. 18
At the Front (Lake-Horace in Hollywood).....	Feb. 25
Hold 'Em Ozzie—Oswald	Mar. 5
Just Monkeys—Laemmle Novelty	Mar. 12
Suicide Sheiks—Oswald	Mar. 18
Love and Sand—Lake	Mar. 25

Universal—Two Reels

Sailor Suits—Stern Bros.	Jan. 2
Out at Home—Stern Bros.	Jan. 9
Hold Your Horses—Stern Bros.	Jan. 16
Newlywed's Headache—Stern Bros.	Jan. 23
Crushed Hats—Stern Bros.	Jan. 30
Have Patience—Buster Brown	Feb. 6
Take Your Pick—Mike and Ike	Feb. 13
Newlywed's Visit—Newlywed	Feb. 20
Television George—Let George Do It.....	Feb. 27
Knockout Buster—Buster Brown	Mar. 6
She's a Pippin—Mike and Ike	Mar. 13
Newlywed's Holiday—Newlywed	Mar. 20
Seeing Sights—Let George Do It	Mar. 27

CHART OF RELEASE DAYS FOR ALL NEWS WEEKLIES

Internat'l News			Pathe News		Fox News		Kinograms		Paramount News		M-G-M News	
Even	Odd		Odd	Even	Even	Odd	Odd	Even	Odd	Even	Even	Odd
Rel.	Rel.		Rel.	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.
Albany	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Atlanta	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Boston	Sun. 1	Wed. 0	Mon. 2	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Wed. 0
Buffalo	Sun. 1	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Butte	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Tues. 3	Sat. 3	—	—	Tues. 3	Sat. 3	Wed. 4	Sat. 3
Charleston	Mon. 2	Thur. 1	—	—	Sun. 1	Thur. 1	—	—	—	—	Mon. 2	Thur. 1
Charlotte	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Chicago	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Cincinnati	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1
Cleveland	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Wed. 0
Columbus	—	—	—	—	—	—	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Dallas	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3
Denver	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Tues. 3	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3
Des Moines	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1
Detroit	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
El Paso	—	—	—	—	Wed. 4	Sun. 4	—	—	—	—	—	—
Indianapolis	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Jacksonville	Mon. 2	Thur. 1	—	—	Mon. 2	Thur. 1	—	—	Sun. 1	Thur. 1	Mon. 2	Thur. 1
Kansas City	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Los Angeles	Tues. 3	Sat. 3	Sat. 7	Sun. 4	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3
Memphis	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1	—	—	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Milwaukee	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Minneapolis	Sun. 1	Wed. 0	Sun. 1	Sat. 3	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1
New Haven	Sun. 1	Wed. 0	Mon. 2	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Thur. 1	Sat. 0	Wed. 0
New Orleans	Mon. 2	Thur. 1	Thur. 5	Fri. 2	Mon. 2	Thur. 1	Mon. 2	Fri. 2	Mon. 2	Thur. 1	Sun. 1	Thur. 1
NEW YORK	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Oklahoma City	Sun. 1	Thur. 1	Wed. 4	Sun. 4	Wed. 4	Sun. 4	Sun. 1	Thur. 1	Wed. 4	Sat. 3	Sun. 1	Thur. 1
Omaha	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1
Peoria	—	—	—	—	—	—	—	—	—	—	—	—
Philadelphia	Sat. 0	Wed. 0	Mon. 2	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Mon. 2	Thur. 1	Sat. 0	Wed. 0
Pittsburgh	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Wed. 0	Mon. 2	Thur. 1	Sat. 0	Wed. 0
Portland, Ore.	Wed. 4	Sat. 3	Sat. 7	Mon. 5	Wed. 4	Sat. 3	—	—	Wed. 4	Sun. 4	Wed. 4	Sat. 3
Portland, Me.	Sun. 1	Thur. 1	—	—	—	—	—	—	Mon. 2	Thur. 1	Mon. 2	Thur. 1
St. Louis	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Salt Lake City	Wed. 4	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3
San Antonio	—	—	—	—	—	—	—	—	Wed. 4	Sat. 3	Wed. 4	Sat. 3
San Francisco	Wed. 4	Sat. 3	Sat. 7	Sun. 4	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3
Seattle	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3
Sioux Falls	Mon. 2	Thur. 1	—	—	Mon. 2	Thur. 1	—	—	Mon. 2	Thur. 1	—	—
Vancouver	Mon. 2	—	—	—	—	Wed. 0	—	—	—	—	—	—
Washington	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Wichita, Kans.	Mon. 2	Thur. 1	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Wilkes Barre	—	—	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Winnipeg	Mon. 2	—	—	—	—	Mon. 5	—	—	—	—	—	—

NEW YORK RELEASE DATES OF THE DIFFERENT NEWS WEEKLIES

Kinograms

5474	Even Number	.....	Wednesday, Feb. 13
5475	Odd Number	.....	Saturday, Feb. 16
5476	Even Number	.....	Wednesday, Feb. 20
5477	Odd Number	.....	Saturday, Feb. 23
5478	Even Number	.....	Wednesday, Feb. 27
5479	Odd Number	.....	Saturday, Mar. 2
5480	Even Number	.....	Wednesday, Mar. 6
5481	Odd Number	.....	Saturday, Mar. 9
5482	Even Number	.....	Wednesday, Mar. 13
5483	Odd Number	.....	Saturday, Mar. 16

Fox

40	Even Number	.....	Wednesday, Feb. 13
41	Odd Number	.....	Saturday, Feb. 16
42	Even Number	.....	Wednesday, Feb. 20
43	Odd Number	.....	Saturday, Feb. 23
44	Even Number	.....	Wednesday, Feb. 27
45	Odd Number	.....	Saturday, Mar. 2
46	Even Number	.....	Wednesday, Mar. 6
47	Odd Number	.....	Saturday, Mar. 9
48	Even Number	.....	Wednesday, Mar. 13
49	Odd Number	.....	Saturday, Mar. 16

Metro-Goldwyn-Mayer

53	Odd Number	.....	Wednesday, Feb. 13
54	Even Number	.....	Saturday, Feb. 16
55	Odd Number	.....	Wednesday, Feb. 20
56	Even Number	.....	Saturday, Feb. 23
57	Odd Number	.....	Wednesday, Feb. 27
58	Even Number	.....	Saturday, Mar. 2
59	Odd Number	.....	Wednesday, Mar. 6
60	Even Number	.....	Saturday, Mar. 9
61	Odd Number	.....	Wednesday, Mar. 13
62	Even Number	.....	Saturday, Mar. 16

International

13	Odd Number	.....	Wednesday, Feb. 13
14	Even Number	.....	Saturday, Feb. 16
15	Odd Number	.....	Wednesday, Feb. 20
16	Even Number	.....	Saturday, Feb. 23
17	Odd Number	.....	Wednesday, Feb. 27
18	Even Number	.....	Saturday, Mar. 2
19	Odd Number	.....	Wednesday, Mar. 6
20	Even Number	.....	Saturday, Mar. 9
21	Odd Number	.....	Wednesday, Mar. 13
22	Even Number	.....	Saturday, Mar. 16

Pathe

16	Even Number	.....	Wednesday, Feb. 13
17	Odd Number	.....	Saturday, Feb. 16
18	Even Number	.....	Wednesday, Feb. 20
19	Odd Number	.....	Saturday, Feb. 23
20	Even Number	.....	Wednesday, Feb. 27
21	Odd Number	.....	Saturday, Mar. 2
22	Even Number	.....	Wednesday, Mar. 6
23	Odd Number	.....	Saturday, Mar. 9
24	Even Number	.....	Wednesday, Mar. 13
25	Odd Number	.....	Saturday, Mar. 16

Paramount News

58	Even Number	.....	Wednesday, Feb. 13
59	Odd Number	.....	Saturday, Feb. 16
60	Even Number	.....	Wednesday, Feb. 20
61	Odd Number	.....	Saturday, Feb. 23
62	Even Number	.....	Wednesday, Feb. 27
63	Odd Number	.....	Saturday, Mar. 2
64	Even Number	.....	Wednesday, Mar. 6
65	Odd Number	Saturday, Mar. 9
66	Even Number	Wednesday, Mar. 13
67	Odd Number	Saturday, Mar. 16

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No. 8

Facts About Talking Pictures and Instruments—No. 13

Before deciding to install a talking picture instrument, you should ask yourself three questions: (1) "Are the acoustics of my theatre such as to give good tone quality?" (2) "Is the instrument that I intend buying fitted with a sound projection system that will give the best tone quality possible?" (3) "Has the sound been recorded with the best recording system so far developed?"

The answer to the first question can, of course, be given correctly by a competent sound engineer; but because competent sound engineers are very few, and because these cost a great deal of money to hire even if you could hire one of them, I am laying before you some suggestions for making a rough test yourself. These, if followed with care, should give you a fair idea whether the acoustics of your theatre are good, fair, or bad. If they are fair, they can be corrected by "doctoring"; but if they are bad, so bad that they cannot be corrected for a moderate sum of money, it would be just like throwing your money away if you were to invest any money in a talking picture instrument.

The acoustics of a theatre are said to be good when words spoken on the stage are made out distinctly and crisply in all parts of the house. There are no objectionable echoes in such a theatre, and no undue reverberations. Marked resonances are absent. No "loud" spots are discovered here, no weak spots are found there, and no "dead" spots elsewhere; the original sound is distributed fairly evenly in all parts of the house. Acoustics such as these are said to be ideal; and a talking picture instrument installed in such a theatre will give excellent tone quality, provided the sound projection apparatus of the talking picture instrument is good, and the recording of the sound on the film (if the film system is used) has been done with the best system, or the recording of the sound on the disc, (if the disc system is used), has been done by persons who know their business.

But acoustics such as these are rare; one meets with fair or with bad acoustics oftener than one does with good acoustics.

The conditions that contribute to good speech are slightly different from the conditions that contribute to good music: In speech, there must be very little reverberation (although complete absence of reverberation is hardly possible); the reverberation must cease by the complete absorption of the sound in the time of one-half second or less. On the other hand, in music a certain amount of reverberation is desirable. This makes one note blend with the succeeding note. The music thus acquires color, becoming more pleasing to the ear. As said in the last article, it has been found by musicians that a reverberation of one and two-tenths duration is an ideal condition for music. But as both kinds of conditions cannot be had in the same hall where speech as well as music is used, a mean average duration is sought—not too long for speech, but not too short for music.

The acoustics of a theatre—of any hall—depend on four things: (1) shape and dimensions of the hall; (2) material the walls are made out of, hangings and furniture; (3) nature of stage sets, and (4) percentage of total audience present. Large halls, or long and narrow halls, particularly halls with low ceilings; hard smooth walls; hard seats; stage sets and hangings made of hard material; a small audience in a theatre—all these are detrimental to good acoustics. Remember that sound waves, as soon as they are generated, travel in all directions (at 1120 feet per second), until they strike some solid body. Part of them is then absorbed, part transmitted through the solid body, and part reflected. If the material such body is made of is hard, very little absorption takes place. The reflection then continues until the waves are finally absorbed. Hard,

smooth walls as well as hard furniture, or anything of such nature, being poor sound absorbing mediums, cause the sound waves to be prolonged, or to "reverberate." On the other hand, walls the panels of which are covered with silk, a great quantity of drapery hangings, upholstered seats, and stage trimmings made out of soft materials, absorb sound more readily, shortening the duration of reverberation. But the greatest sound absorber is a large audience. In a hall fitted with sound absorbing material and with every seat in the house full, the point of total decay of the sound is reached quickly.

Test

To test the acoustics of your theatre, post on a ladder on the stage, first, a man, letting his head reach about the spot where the heads of the screen characters usually are. It is essential to make a test with a man and with a woman separately for the reason that, as the voice of a woman is of high pitch, and that of a man of low pitch, it is necessary to test the carrying qualities of the hall with both kinds of voices. A woman's voice does not carry well in a large hall, for large halls are naturally of low pitch, whereas small halls are of high pitch. Thus a woman's voice carries relatively better in most small halls.

After posting the man as directed, take a position in the middle of the orchestra and have him read combinations of numbers with which you are unfamiliar. Notice whether you can make out the number distinctly. You can prove this by repeating the numbers to the person on the ladder. Move to the right, and then to the left, while he continues reading the numbers, and make observations. Take a position in the back of the house, then to the right, then to the left, and observe whether the numbers are as distinct in those positions as they were in the first positions. Next move to the balcony; station yourself, first, in the front middle part, then to the right, then to the left; move to the middle and then to the back; to the extreme right and to the extreme left, and continue your observations. If you can make out the numbers distinctly everywhere in the house, then the acoustics are excellent; if you can make them out in the middle of the orchestra and fairly well while you are stationed in the front part of the balcony but fail to make them out in the other positions, then the acoustics are only fair. It should be evident to you, then, that your theatre needs "doctoring."

Another test you should make is this: Have your pianist strike low, middle, and high notes on the piano as if he were practicing. Take the different positions indicated in the first test and notice the results. Observe, in particular, whether the low notes or the high notes become louder or weaker. If the intensity of them varies, it is an indication that the sound is not distributed evenly throughout the theatre.

Another test for observing the distribution of sound is to have a violinist fiddle low, middle and high notes, again as if practicing on the scale; a change in the intensity of any set of notes in the different position indicates poor sound distribution.

You may also clap your hands, measuring with a chronometer or by careful estimating the time it requires for the sound to die out. A reverberation of more than two seconds duration is an indication that a certain amount of "doctoring" must be resorted to.

For greater accuracy, a test with an audience in position is necessary. You might invite a number of friends or customers, enough of them to fill half of the seats, and observe the results, comparing them with the results you obtained in the tests without an audience.

"Doctoring" a theatre to improve its acoustics must, of
(Continued on last page)

"The Redeeming Sin" (PT)—with Dolores Costello, Conral Nagel, and Georgie Stone

(Warner B., April 6; sil. 6,145 ft.; syn. 6,921)

One of the worst talking pictures that have been produced by any producer. The introduction shows Philippe DeLacy, a boy about twelve, being trained to become a thief. This shows lack of good taste on the part of the producers. Later on this boy is shown accidentally shot and killed by his confederate, whose bullet was intended for the owner of the store they were robbing. This, too, is bad to be included in an entertainment. It is bad enough to show death without justification; but to kill a child under such circumstances is worse. The heroine, sister of the dead boy, is shown all through the picture planning to avenge the death of her young brother by doing great harm to the hero, a doctor, because she believed that the death of her brother had been due to his negligence. No sympathetic interest can be aroused by a heroine who will seek to do harm to a person that does not deserve harm, particularly when the spectator knows it. The fact that the crook who had killed the boy does not suffer the consequences of his act, even though the death was accidental, is another fault in the construction of the plot. All the way through the action is one inconsistency after another. People laughed at serious moments at the premier at the Warner Theatre because of these inconsistencies.

The story unfolds in Paris, among the Apaches. The heroine forbids the leader of the gang of crooks, to which she, too, belonged, from teaching her young brother the tricks of the trade. The crook takes the young precocious boy along with him to help him rob a store. The owner awakes and the crook shoots to kill him. But in the dark he hits his little confederate. He takes the boy, who was not yet dead, and puts him on a carriage. The driver finds the boy, and, recognizing him, takes him to the heroine. The heroine rushes to a doctor (the hero) with him, but the boy dies; the bullet had pierced his heart, and the hero could do nothing to save his life. Thinking that her brother died as a result of his negligence, the heroine goes through life planning to avenge his death. She pretends to love the hero. The hero falls in love with her. But she, too, falls in love with him.

After many twists the story ends with the marriage of hero and heroine.

The story is by L. V. Jefferson. Howard Bretherton directed it. Lionel Belmore, Warner Richmond, and Nina Quartato are in the cast.

"Dancing Vienna"—with Ben Lyon and Lyra Mara

(First National-Defu; Jan. 13; 5,637 ft.; 65 to 80 min.)

This is not a bad program feature. It is foreign made. The locale of the story includes America and Vienna, and it is the familiar story of two feuding families whose children meet and fall in love. Ben Lyon is a likeable hero and Miss Mara, though not as attractive as our young heroines, is adequate.

The hero, son of a wealthy newspaper owner, is sent by his father to Vienna to buy back the family mansion. He is cautioned not to have anything to do with his neighbors, cousins of his father. He is an ardent saxophone fan, and when he hears the voice of a young lady singing and sees her at the piano, playing, he naturally endeavors to become acquainted with her. Their friendship ripens into love. When the hero's father comes over and learns of the situation, he attempts to send his son back to America and to buy off the heroine, who was the granddaughter of an impoverished count, but whose mother was a music hall artist. Of course, when an act is put on, and she makes a hit, all is forgiven.

Symbolic scenes of the night life of gay Vienna are shown, but otherwise the situations are more or less conventional, though the revue in which the heroine appears is somewhat pretentious. The well known Viennese waltz makes the feuding families become united, and it is the theme around which the story revolves. Friederich Zelnik directed the picture.

"Moulin Rouge" (S)

(World-Wide, approximately 8,600 ft.)

It is too bad that World-Wide Pictures has not introduced itself with a better picture. When the American exhibitor buys a foreign-made picture, he buys with it no players that would draw at his box office. The least, then, he could expect would be a story that would stand out, the

kind he could talk about to his customers and to the general public. "Moulin Rouge" is not such a story. To begin with, no one can sympathize with a man that is engaged to the daughter and at the same time loves the mother. In the end he gives up the mother and marries the daughter. But it is too long for a picture-goer to wait until this happens.

Another unfortunate shortcoming is the fact that the direction is not very good if judged by American standards; Mr. Dupont may be a good director for pictures made for consumption abroad, but he has not stayed in America long enough to absorb the American picture-goers' viewpoint. Even his supposed thrilling scenes are illogical, even though they may thrill the spectator; no sound reason is shown why the heroine should not have been able to jump from her automobile, the brakes of which would not work, to the automobile of the hero, since the speeds of both machines were the same for a time.

Olga Chekova takes the part of the mother. She is a star of Moulin Rouge, and is supposed to be a sensation in Paris. But she is not a wonder on the screen. Eve Gray, who takes the part of the daughter, is the best actress in the lot. Jean Bradin, the supposed hero, is not a sensation either; any American second-rate player would have done better work with "hands down."

Those who have been in the habit of showing foreign-made pictures may safely play this one.

"The Bushranger"—with Col. Tim McCoy

(Metro-Goldwyn-Mayer; Nov. 17; 5,200 ft.; 60 to 74 min.)

An interesting melodrama. Its action is laid in Australia and among the novelties are a boxing kangaroo and the expert use of the boomerang by Col. McCoy. It is full of action, thrills and suspense, and a nice love story is interwoven.

Mr. McCoy (hero) is good as the older son of an English lord, who protects the honor of his younger brother by shielding him when he made love to his father's friend's wife and later killed the husband in a duel, thereby being sentenced to the penal colony in Australia. On the day he was to be paroled, he escaped by jumping into the river, and, with a price on his head, he led the life of an outlaw, wanted also for highway robbery. The suspense is maintained from the time he became a bandit till the very end, when, after many daring attempts to see the ward (heroine) of his father, now the Commissioner of Australia, he finally rescues her when she is held for ransom in the gang's lair, and brings her safely back. Both are in love with each other.

All is forgiven when the younger brother, dying, confesses that he was guilty and not the hero.

There is a thrilling battle in the den and a dashing escape by means of a rope with the heroine on his horse.

The picture, based on a story by Madeline Ruthven, was directed well by Chet Whitney. Marion Douglas is an appealing heroine. Arthur Lubin, Ed Brady and Russell Simpson are in the cast.

"The Side Show"—with Marie Prevost and Ralph Graves

(Columbia; Dec. 11; 5,999 ft.; 69 to 85 min.)

Pretty good. The realistic circus atmosphere and the many melodramatic thrills, as well as the interesting love story, make fair entertainment. The spectator's sympathy really goes to the circus-owner, a midget, who realizes his love for the heroine, a side-show performer, is hopeless. Miss Prevost is a charming heroine, who nearly loses her life because of the villain's treachery. Ralph Graves is a pleasing hero, who, as the side-show manager, undertakes the sword-basket act when the supposed Hindu (villain) refuses to go on and tells the man who watched the platform on which the heroine was raised and lowered during the act, that there would be no performance. The hero nearly kills the heroine, who is rescued by the circus owner after being slightly wounded.

The circus owner is shown as being very kindhearted to his employees when they have so many accidents and are injured. But he really caused the death of the villain, after he learned that it was not the hero who had double-crossed him, by removing the brace from the partition of the hatchet-throwing act, and causing the villain to be slain as if accidentally.

The picture was directed by Erle Kenton from a story by Howard Green.

Not a substitution.

"The Ghost Talks" (AT)—with Helen Twelvetees

(Fox, Feb. 24; syn. 6,398 ft.; 71 min.)

This all-talk Fox picture is destined to take a place among such talking pictures as "The Last Warning," and "The Terror," and of such silent pictures as "The Cat and the Canary," "The Bat," and "One Exciting Night." It is full of "fearful" ghosts. Two negroes, newly married, are frightened out of their wits by the appearance of a ghost. The hero is an amateur detective; he learns how to detect in a correspondence school, but in the end he is shown accomplishing something that experienced detectives could not have accomplished; he caught a gang of thieves who had stolen valuable bonds from the mails. The first part of the film is a little bit slow, but the second half more than offsets whatever slowness there may be in the first part. The spectator at times is made to hold his breath. The scenes in the supposed haunted house, where the negro and his wife are followed by the "ghost," are so breath-taking that children should be made to scream with fright. The talk is done well all the way through, and resonances as a result of the defects in the talking picture instrument used by the Roxy are not so pronounced.

The story deals with a band of thieves who follow the heroine to the country in an effort to secure from her the information as to where her dead uncle had hidden certain bonds, which the dead man and these thieves had stolen from the mails. The heroine wanted to protect the memory of her dead uncle and did not inform the post office authorities of the fact that she had information as to where the bonds had been hidden. She arrives in the country and is befriended by the young hero, clerk in the local hotel. The hero had been studying to be a detective, and felt that he knew more about the work than old-time detectives. One of the crooks poses as a United States Post Office inspector and induces the hero to advise the heroine to deliver to him the paper that contained the information about the hiding place of the bonds. But the hero takes it back from him innocently. Later the confederates of the crook attempt to take the paper away from the heroine, but she had burned the paper after memorizing the contents, at the advice of the hero. The would-be inspector leads the hero and the heroine to the "haunted house" in an effort to make her remember the details, but she has difficulty at first, until the "inspector" loses his patience. The hero then learns that the would-be inspector is a crook. The details contained in the paper come to the heroine and she tells them to the crooks, who are able to open a panel in the wall. This led to a vault, where the bonds were hidden. The hero locks the vault, and the police, who had been informed by the negro caretaker, arrive and arrest the crooks.

The acting of young Charles Eaton, who takes the part of the amateur detective, is outstanding. Miss Twelvetees' work is good, too. Others in the cast are Earle Foxe, Carmel Myers, Mickey Bennett and others.

"Noisy Neighbors" (PT)—with Eddie Quillan and Alberta Vaughn

(Pathe, Jan. 27; sil. 5,735 ft.; 66 to 82 min.)

As a silent picture, it may be classed as a very good program entertainment. There is plentiful comedy all the way through, which is made more hearty by the cheerful personality of young Quillan and by his good acting. Miss Vaughn, too, contributes towards its entertainment values because of her youthfulness and of her acting ability. The story holds one's interest all the way through. Towards the end it offers some melodramatic thrills that are sure to go over well; they show the hero and his family using magic stage tricks so as to escape from the pursuing mountaineers who sought to kill them because of a family feud. The disappearing platform, the double-bottom trunk, the double partition booth and other tricks are used effectively.

Judged as a partly talking picture, one may say that there isn't enough talk done by the characters to justify one to class it as such a picture. But whatever talk is done, it is done well. The voices are distinct and free from unpleasant resonances. It is uncanny to see and hear the late Theodore Roberts talk. His little talk proves that he possessed a good voice, and was able to put his old stage experience to good use.

The story deals with a family of vaudeville performers who became stranded in a southern town. But just as they were feeling despondent, a lawyer arrives and tells the father that he had fallen heir to the estate of the Van Revels as the only surviving Van Revel. The Carstairs, who were their sworn enemies, lived next door. The young

Van Revel (hero) meets the young Carstairs (heroine) and both are attracted to each other. The heroine could not understand why she should not be friends with the hero. The grandfather (Colonel Carstairs—Theodore Roberts) gives a reception on the heroine's birthday, but she is unhappy because her young friend is not allowed to be present. Thereupon the Colonel invites the whole family. But a young relative of the Colonel (villain) notifies the clan, and all come to exterminate the Van Revels. In the end, however, the mountaineers are arrested and the feud ended by the marriage of the hero and the heroine with the consent of the Colonel.

Note: This is a story substitution. See issue of February 2.

HOW TO CANCEL SUBSTITUTIONS

A substitution is a picture that has not been produced in accordance with the promises made by the producer-distributor at the time you signed your contract; therefore, you are not obligated to accept it. And the law forbids a manufacturer from trying to force a buyer to accept something he did not buy.

A substitution may be either in story, or in theme, or in star, or in director.

The fact that the director who has directed the finished product may happen to be more popular than the director that has been promised to you does not minimize your rights in such matters. It is up to you to say whether you want such picture or not.

Several exhibitors have asked me to print a form letter, which they might copy and send to the distributor cancelling substitutions such distributor may intend to deliver to them.

"Cancelling" is not the proper word to use; no need exists to cancel something you have not bought, and he who attempts to force you to accept such a thing may run into trouble, if you should see fit to protect yourself through the law.

Here is one kind of form letter you might use:

"I have been informed that some of the pictures we bought from you this season have not been produced in accordance with the specifications contained either in the contract, or in the Work Sheet, or in the advertisements that appeared in the trade journals at the time, or prior to the time, we signed our contract with you.

"If you intend to deliver such pictures to us as being what we bought, we hereby give you notice that we shall not accept them. If you wish to sell such pictures, it will be necessary for you to conduct new negotiations with us.

"For your information, a copy of this letter has been sent to the Secretary of the Film Board of Trade, by registered mail, so that there might not be any misunderstanding."

Another good form should be the following (let us use the Fox picture "The Great White North" as the illustration):

"I have been informed that 'The Great White North' is not the picture we bought for the reason that what we bought was to be 'An extraordinary gripping story of Arctic adventure with a cast of youth, personality and charm at its chaming best,' to be directed by Lew Seiler, and to be acted by a cast including Mary Duncan, June Collyer and Charles Morton, whereas the picture you have released as the so-called 'The Great White North' is merely a travelogue, the record of an expedition that went to the Herald Island in the Arctic to find traces of lost explorers. Therefore, we take this means of notifying you that we do not want this picture."

If a letter for refusing acceptance of "A Certain Young man" is desired, the following might be a good form:

"We have just received from you a notice of availability of play-dates for 'A Certain Young Man' and desire to inform you that we are not obligated to accept this picture for the reason that, although it was produced by you during the life of our contract, you failed to deliver it at that time.

"Please expunge this picture from your books so far as we are concerned."

If the notice of play-date availability concerns another picture, just substitute the name of that picture for "The Great White North" or for "A Certain Young Man." It makes no difference whether the substitute picture is being delivered with the original title or with a new title.

Send such a letter by registered mail. In all cases send a copy to the secretary of the Film Board of Trade, also registered.

course, be done by an engineer, for the reason that each theatre requires different treatment, and only an engineer can give the right prescription. But if it is either expensive or impractical for you to engage an engineer, then you may try hanging draperies wherever draperies are necessary. You may also hang some of them in places where they are not necessary, if they can be used with decorative effect. Some of the panels on the walls, for example, may be so treated. The back wall of the balcony as well as of the orchestra may be so decorated. In any event, draperies are the only material you can use, if you should undertake the "doctoring" without the advice of an expert.

ABOUT "THE GREAT WHITE NORTH"

"Lost In the Arctic" was shown at the Gaiety Theatre, on Broadway, this city, last July. It was kept on the board for several weeks, being given a "forced" engagement. It is assumed that it did not take in enough money to pay for the rent of the house.

If you will read the review of this picture, published in the August 4th issue of HARRISON'S REPORTS, you will learn that it is not a drama, but a travelogue, the record of an expedition that was sent to the Arctic to find traces of the explorers who had ten years before been lost on Herald Island, having been separated from the main Stefansson expedition. There was no cast, no director, and no story; the actors were real-life persons, the persons that took part in that expedition.

In the Fox Work Sheet "New Form—S4-5M-50 to a pad 5-29-28" (these figures mean that the Work Sheet was printed on May 29, 1928), "The Great White North," which was given number 7 on the list, was described as follows: "An Extraordinary Gripping Story of Arctic Adventure with a cast of youth, personality and charm at its most charming best." Lew Seiler was given as the director, and Mary Duncan, June Collyer, and Charles Morton as the cast.

The same facts were given in the Work Sheet of June 4, 1928 (New Form—S42M—6-4-28—Sup.), as well as in that of October 23, 1928 (New Form—S4—5M—50 to a pad 8-23-28).

In other words, the facts about "The Great White North" were conceived long before the selling season started, long before "Lost In the Arctic" was shown on Broadway, this city, and were carried in all the Work Sheets through the early part of the season, up to September. But now Fox says that "Lost In the Arctic" is "The Great White North," and expects you to accept it as the picture you bought.

I have met many a person with brass in my life; but I have yet to meet one as brassy as Fox. He beats even Warner Brothers, who tried to "slip" you that Spanish blood-and-thunder melodrama of the 14th Century for Clyde Fitch's modern society drama, "The Climbers"; and a coal mining story for a tennis story ("White Flannels").

If "The Great White North" is not the picture you bought, tell Fox you don't want it.

ABOUT TIFFANY'S "BROADWAY FEVER"

Tiffany-Stahl is up in arms as a result of my classification of "Broadway Fever" as a "story substitution." I have been told by them that I am wrong in my assumption. I asked them to point out to me in what particular I am wrong so that I might apologize publicly—publicly apologize, for the wrong that I have done them. But up to the time of this writing I have not yet received the proof of my mistake.

I have in my possession a Tiffany-Stahl Work Sheet, furnished me by the Home Office at the beginning of the season, in which the following facts are given in the space opposite "Applause": "Based on the story 'Put and Take' by Edmund Goulding. . . . The story of a fearless, fascinating, devil-may-care girl reared in the free and easy Tenth Avenue atmosphere, who rises above her surroundings and reaches the bright lights of Broadway." The story of "Broadway Fever" is that of a chorus girl, who, unable to get a job in her profession, becomes a housemaid." Viola Brothers Shore wrote the story.

Now, I understand that Tiffany-Stahl have told you that "Broadway Fever" is the same picture as "Applause." How come? Edmund Goulding was to be the author, but Viola Brothers Shore wrote it. How can the two be the same when they are not. Even the plot is different.

Tell Tiffany-Stahl that you don't want what you haven't bought, and that if they keep on insisting that "Lucky Boy" is not the same picture as "Ghetto," you are going to attack

the entire contract in the courts on the grounds of bad faith. Remember that when you attack the entire contract you don't have to submit to arbitration until the courts say so.

It is about time that this sort of tactics were abandoned in this industry.

ABOUT "A CERTAIN YOUNG MAN"

Several exhibitors have again written to this office asking me whether Metro-Goldwyn-Mayer can or cannot force them to accept "A Certain Young Man," (No. 647), the Metro-Goldwyn-Mayer picture with Ramon Novarro, which they bought in the 1925-26 season.

This matter was treated so extensively in the issue of HARRISON'S REPORTS of June 23 that it seemed as if no further explanation was necessary. But in order to make your rights in the matter clear—so clear that there can be no trace of doubt left in your mind, I gladly repeat.

The Uniform Contract, in force between the time it was adopted in 1923, and the time it was reformed in 1926, stated in the First clause as follows: "If any of said photoplays shall be released by the Distributor after the period above specified, the Distributor shall be obliged to deliver such photoplays to the Exhibitor hereunder as though released within said period; and the Exhibitor agrees to accept, pay for and exhibit them at such later period pursuant to the terms thereof."

This clause, as you see, referred to pictures that were not made during the life of a contract. In other words, if any of the contracted pictures were not made during the life of your contract, but were produced afterwards, no matter when, the distributor was obligated to deliver them to you, and you had to accept them. But in regards to pictures that were made during the life of the contract, the matter differs: unless the distributor sent you a notice of availability, as provided for in the Uniform Contract, in the play-date availability clause ("G" in the Metro-Goldwyn contract), such distributor can do nothing to force you to accept such a picture. It was his fault if he did not deliver it since he had it.

The question now is whether "A Certain Young Man" was or was not produced within the life of the 1925-26 contracts. Let us see:

The cast of this picture includes the late Willard Louis. Willard Louis died on August 6, 1926. Therefore, "A Certain Young Man" was produced within the life of all 1925-26 contracts, for the reason that the picture had been made before the death of this actor, it was kept on the shelf since then and released this season. For this reason, you are not obligated to accept it, even if Metro-Goldwyn-Mayer should yell hard enough to raise the roof of their exchanges.

The contract does not specify the status of a picture that was produced outside the life of an exhibitor's contract and held on the shelf two and one-half years, but it is assumed that the arbitrators should decide that, unless a picture so produced were released within a reasonable length of time after production, the distributor should not be allowed to force the exhibitor to accept it.

Metro-Goldwyn-Mayer know very well that they are not entitled, legally or morally, to ask you to accept this picture. And yet they are trying to make you accept it, threatening to take you before the board of arbitration should you refuse to accept it. They are bluffing!

ARE ANY OF YOUR COPIES MISSING?

Look over your files of HARRISON'S REPORTS and if you find any copies missing let us know so that we might send you duplicate copies. You should read and digest the contract and arbitration articles as well as the series of articles on sound. The sound articles, in particular, contain information that you could not get so easily from other sources. Each article is worth its proverbial weight in gold.

NEW STATE THEATRE

Minneapolis, Minn.,

Jan. 1, 1929.

Dear Mr. Harrison:

If there has ever been any question in the minds of the Exhibitors throughout the entire industry as to the intrinsic value of your paper to them, that question has been fully settled during the tense situation created by the radical change in this industry. We hope that you are reaping the reward you have earned through your tireless efforts to solve many problems for us.

Cordially,

Mustard & Rowe,
By Oliver A. Rowe.

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Columns, if It is to Benefit the Exhibitor.

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A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XI

SATURDAY, MARCH 2, 1929

No. 9

SOUND ON FILM OR SOUND ON DISC?

As a result of a statement by Sidney R. Kent, General Manager of Paramount Famous Lasky, and by other prominent film men, including Joe Schenck, informing the industry that they would abandon making pictures with the sound recorded on the disc, adopting wholly the sound-on-film system as producing better results and as being more economical, many exhibitors have been led to believe that the sound-on-disc system is doomed; therefore, they are looking toward installing a talking picture instrument that shows the sound-on-film kind of talking pictures.

Though this paper long ago stated that the sound-on-film system is better than the sound-on-disc, and that the sound-on-disc system would eventually be discarded in favor of the sound-on-film, the sound-on-disc system is in no immediate danger. And anyone that says that it is is making wild statements.

Two are the reasons that make many exhibitors cling to the sound-on-disc system: First, the fact that the quality of the sound-on-disc talking pictures just now is, film for film, better; and secondly, because the sound-on-disc talking picture devices are inexpensive as compared to the devices that use the sound-on-film. A sound-on-film instrument just now cannot be bought for less than five thousand dollars in addition to the cost of installation, which runs up to five hundred dollars or more. On the other hand, a sound-on-disc instrument can be bought anywhere from fifteen hundred dollars to as low as one thousand dollars. And the installation cost is very low. Many exhibitors who have a son that knows something about radio, or themselves know the workings of radio, are able to make talking picture instruments themselves, even at less than one thousand dollars.

The sound-on-disc system is not, as said, in immediate danger. So long as an exhibitor can buy, or make an instrument, at a much lower price than the sound-on-film instrument can be bought for, and so long as he can secure sound-on-disc films of better (or even of equal) quality than the sound-on-film, that long the sound-on-disc system will continue to prevail, regardless of what this, that, or the other executive of a film company, no matter how big, may say. One or two or even more persons cannot create economic conditions at order; such conditions are the result of forces over which neither they nor we have control. These conditions must undergo a change naturally. The sound-on-disc system will be abandoned only when the public become educated enough to know the difference between the sound-on-film and the sound-on-disc tone quality. When the sound-on-film pictures are superior in quality to the sound-on-disc, and when the operation of a sound-on-film device is as economical

as the operation of the sound-on-disc device, then will the popularity of the sound-on-disc system begin to wane.

The statements by Mr. Kent and the others are more political than economical. From the day they were compelled to install talking picture instruments in their theatres, and to contract for Warner Bros. talking pictures, they have been compelled to show advance trailers telling the public that they are going to see "next change of program" a wonderful talking picture, and that this picture had been produced by Warner Brothers., "the pioneers in the talking picture field." You understand, then, what a bitter pill this has been for Paramount and for the others, and how hard it has been for them to swallow it. The fact that the tenacity of the Warner Brothers, who stuck to it under the most discouraging conditions and saved the entire industry from an inevitable bankruptcy by their eventual success means nothing to them; gratitude is an unknown virtue in this industry.

As for you, you should not allow yourselves to be stampeded. There is no immediate danger to the disc system of sound recording. If your finances permit you to install both systems, do so; but if they do not, install a disc talking picture instrument, either by buying one, or by making one yourself. There are, as said, instruments that sell from anywhere from fifteen hundred dollars to one thousand dollars that are just as good as their more expensive brethren sold by independents. There is no need for you to pay more when you can get one for such a price.

If your silent talking picture business is poor, you should figure out installing a disc talking picture instrument at once. The experimental stage has passed; now nothing but talking pictures will revive your business, for reports from everywhere prove that in the majority of cases those that installed a talking picture instrument and were able to get film at a reasonable price have profited thereby.

Let not the problem of interchangeability trouble you. When you install a talking picture instrument the producers, be it Warner Bros. or any other producer-distributor of talking pictures, will eventually serve you; they cannot afford a loss of revenue from any exhibitor. As for Mr. Kent, when disc instruments are installed in an appreciable number, he will be forced to make pictures with the sound on the disc, either at the time when the picture is produced, or afterwards, by "duping," just as he did in the case of "Interference," in which the discs were made from the film.

And do not let anyone tell you that talking pictures are bound to die out; for they are not; they
(Continued on last page)

"WOLF SONG" (S) GARY COOPER AND LUPE VELEZ

(Param., March 2; syn. 7,021 ft.; sil. 6,060 ft.)

It is doubtful if "Wolf Song" will make a hit, for several reasons. The first reason is this: because of the fact that talking pictures are uppermost in the minds of the people just now, almost every one that will go to see it will expect to see the characters talk, partly at least, and they will be disappointed when they see only a silent picture synchronized with music. The lack of talk makes the picture flat. The second reason is the fact that the hero loses the sympathy of the audience because he decides to desert his wife. This latter reason is sufficient to alienate the sympathy of the women customers.

The story unfolds in the West, in the days of 1840, and deals with the hero and his two inseparable friends. The hero is shown as being shy of women, but when he meets the beautiful heroine, daughter of an aristocratic Spaniard, his views about women undergo a change. He falls in love with her at first sight. She, too, falls in love with him. They elope, and marry. She follows him in his wanderings. After many months, his old crave for the mountains returns to him and he decides to abandon his wife and to follow his pals, who had already left to trap animals for furs. He leaves her, but before he had gone very far he realizes how much he loves his wife and decides to return. But some Indians ambush him and wound him seriously. He returns, but finds his wife gone, her father having come and taken her away. He goes to her. Her father decides to shoot him, but, realizing that his daughter still loves him, spares his life. The hero begs her forgiveness, which she grants, feeling impotent to hate him for what he had done to her, for she still loved him.

Harvey Ferguson wrote the story. Victor Fleming directed it. There is no fault to find with the direction. Lupe Velez is a pretty girl and does her work well. Louis Wolheim and Constantine Romanoff are the two pals of Gary Cooper.

"THE MILLION DOLLAR COLLAR"—WITH RIN-TIN-TIN

(Warner B., Feb. 9; syn. 5,561 ft.; sil. 4,878 ft.)

A crook melodrama, full of thrills. And Rin-Tin-Tin's almost human acting will endear him to his loyal fans. Others in the cast are Matty Kemp, hero; Evelyn French, heroine, Tommy Duggan as the crook, and Philo McCullough as the villain. Ross Lederman directed the picture from the story by Robert Lord.

The story revolves around the efforts of the villain to hide the crook in his country lodge till the robbery of a million dollar pearl necklace had blown over so that they might split the profits among the gang. The crook, who posed as a blind man, led by his dog, robbed the jewelry store, and on his way to the lodge, because of his intoxicated condition, was hurled into the lake. And the car, which bound Rinty by his chain, was almost ready to sink, when a young tramp rescued the dog and took the crook's clothes. In them, he became a nice-looking hero, and with the dog, he landed at the lodge, where the villain and his sister, mistaking him for the crook, treated him kindly. But the heroine, who was supposed to vamp the hero to learn the where-

abouts of the jewels, fell in love with him and, aided by the dog, who became the hero's devoted companion, they were able to claim the jewels, and after many thrilling escapades, such as being smoked out in the hut, where they had hidden, they were rescued by the forest rangers, who were summoned by Rinty. The gang was arrested.

This was reviewed as a silent picture.

"THE IRON MASK" (S) DOUGLAS FAIRBANKS

(United Artists, March 9; syn. 8,885 ft.; 98 min.)

Douglas Fairbanks is inimitable. Although he is no longer the youth he was when he first started appearing in motion pictures, he is almost as agile, and as interesting. Though "The Iron Mask" is not as speedy as "The Mark of Zoro," "Don Q," or the other period pictures he has produced, it is, nevertheless, a good picture. The human interest, however, is weak as compared to his other costume pictures, for the reason that a brother is shown pitted against a brother. It is shown, for example, that the Queen, wife of Louis the XIII, gave birth to twin brothers, and that Cardinal Richelieu, in order to prevent later complications, which might endanger the state, had one of the twins kidnapped and taken to Spain, where he was reared ignorant of his identity. In the following years, after the death of the Cardinal, one of the Cardinal's former favorites, who had learned the secret, goes to Spain, finds the boy, tells him who he is, and then forms a conspiracy by which he is enabled to imprison the King and to install on the throne the twin brother. At one time, the usurper is shown putting his own mother under arrest. All these are sights that do not please the picture-goer.

Another bad feature is the fact that the three musketeers, friends of D'Artagnan (Douglas Fairbanks) do not appear all through the picture. After being condemned by Cardinal Richelieu to separation, because of insubordination, they vanish from the picture until towards the closing scenes, when D'Artagnan, who had been charged by Richelieu before his death with the safety of the young King, had sent for them to help him liberate the imprisoned King and restore him to the throne, and to drive away the usurper and his followers.

Still another drawback is the fact that the characters do not talk; in two places Douglas Fairbanks is shown reciting a poem, but his recitations have nothing to do with the action. In this day of talking pictures it is natural for the average picture-goer to become disappointed to find that talk is absent from such pictures as those made by Mr. Fairbanks. At any rate, it remains to be seen how much the lack of talk will affect the drawing powers of this picture. Just now it is drawing big crowds at the Rivoli, this city. But it has just started its engagement and the picture-goers have not had an opportunity to find out that there is no talk in it. On the other hand, the lack of talk may not hurt it. Only the future can tell.

Alexandre Dumas' "The Three Musketeers" and "The Man in the Iron Mask" have been used for the plot. Belle Bennett, Dorothy Revier, Marguerite de la Motte, Vera Lewis, Nigel de Brullier, and many other players are in the supporting cast.

Children should enjoy this picture more than adults.

**"THE GIRL ON THE BARGE" (PT) JEAN
HERSHOLT, SALLY O'NEIL AND
MALCOLM MCGREGOR**

(Univ., Feb. 3; syn. 7,510 ft.; sil. 6,908 ft.)

There are many inconsistencies in this picture, but the action is so fast and the melodramatic situations are so thrilling for the average picture-goer, that one will, no doubt, overlook the inconsistencies. The action is interesting all the way through, and the "talk" is made use of in a new, entertaining way. For instance, the heroine is shown as being illiterate, having grown up on a barge, and her father, who had been holding a bible in one hand and a bottle of booze in the other, would not let her learn how to read and write lest such "modern inventions" ruin her morals. When the hero, with whom she became acquainted, learns that she does not know how to read, he undertakes to teach her. This gave an opportunity to the author to work up some novel comedy in the situations, which is very effective, because the director handled it with intelligence. The closing scenes show a storm in which the life of the heroine and of her little brothers and sisters, including that of her cruel and drunken father, are endangered, and the hero going out in a tug to tow them to safety. The scenes have been done in miniature, of course; nevertheless, they are suspenseful and thrilling.

The end of the picture shows the hero and the heroine married and the parents of a little son, and the heroine's father reformed.

Jean Hersholt does excellent work, but his part is extremely unsympathetic. Malcolm McGregor is good, too, but it is Sally O'Neill that carries away the acting honors. She takes the part of an unworldly-wise young woman so perfectly that one thinks that he is present before a real-life occurrence.

Rupert Hughes wrote the story, and Edward Sloman directed it.

**"HARDBOILED"—WITH
SALLY O'NEILL**

(RKO—Feb. 3; 5,940 ft.; 69 to 84 min.)

Pretty good. The story is familiar, but Miss O'Neill makes a charming heroine and gives a very good performance as the hardboiled chorus girl who would marry only for money. Donald Reed is fair enough as the playboy who loved his chorus girl sweetheart to the extent of marrying her and being disinherited. Lilyan Tashman, as the heroine's girl friend and adviser, is attractive. Others in the cast are Bob Sinclair, Ole M. Ness and Tom O'Grady. They are all competent.

Ralph Ince directed it. Arthur Somers Roche wrote the story. (Not a substitution.)

**"THE CARNATION KID" (MTD)
DOUGLAS McLEAN**

(Par'nt, March 2; syn. 7,156 ft.; sil. 6,290)

Very good. It is a comedy-melodrama, in which the action is fairly fast and the interest is kept pretty alive all the way through. In some of the situations the spectator is held in pretty tense suspense. The comedy comes from the fact that the hero, a noiseless typewriter salesman, is mistaken for a famous Chicago gangster; the real gangster, nicknamed the Carnation Kid, had jumped from the train on which he and the hero had been traveling, so as to escape from the police, after forcing

the hero to exchange clothes with him. The Carnation Kid had been engaged by an unscrupulous politician, running for District Attorney, to murder the rival candidate, father of the heroine. When the hero arrived at his destination, which was also the destination of the Carnation Kid, he is mistaken by the gangsters as the Carnation Kid and is taken to the politician. The villains kept talking about machine guns in veiled words and the hero, thinking that they referred to his noiseless typewriter (machine), extolled its virtues. The gangsters thought that the hero meant noiseless machine guns. This naturally is a source of comedy.

The suspense is created by the fact that the hero's life is placed in danger when it is discovered that he is not the Carnation Kid and the gangsters seek to murder him. An encounter between the gangsters and the police that guarded the home of the heroine's father, too, helps create some suspense.

The acquaintance of the hero and the heroine occurs on the train. When the heroine was told that the hero was a famous gangster, she would not believe it at first; but she had to believe it afterwards when she was confronted with what she considered proof of his guilt. Everything is, of course, explained in the end, after the hero had saved the life of her father.

The story is by Alfred A. Cohn. The picture was directed by E. Mason Hopper. Frances Lee is the heroine. Others in the cast are William B. Davidson, Lorraine Eddy, Charles Hill Mailes, Francis McDonald and Carl Stockdale.

**"THE OFFICE SCANDAL" (PT)
PHYLLIS HAVER**

(Pathe, March 3; syn. 6,291 ft.; sil. 6,511 ft.)

The talk in this picture occurs in the last reel. It is not sufficient to satisfy the thirst of those that want talking pictures, but it adds to its appealing qualities. The music used in the synchronization is good, too. As to the story, it unfolds mostly in a newspaper office and has a woman reporter and a former famous man reporter, gone to the "dogs," as the principal characters. It is a little different from the average newspaper story, and arouses the spectator's interest in the fate of the characters. The spectator desires to know what connection the hero had with a certain murder. The evidence pointed out that it was he that had shot and killed a famous club man, owner of racing horses, and that he had murdered him because he loved his wife. But the heroine, who had met the hero in a night court under arrest and had asked the judge to be lenient with him when she found out that he was a famous reporter, succeeds in proving that he was innocent. She called on the dead man's wife and forced her to admit that it was she that had shot and killed her husband, because of his cruelty to her. At the time of the shooting the dead man had been shown lashing the heroine unmercifully. (But it does not explain why the hero, who is later presented as refusing the advances of the dead man's wife, should have been found in the woman's boudoir. But such little discrepancies are common in motion pictures.)

The story is by Paul Gangelin and Jack Jungmeyer. It was directed by Paul L. Stein. Leslie Fenton is the hero. Raymond Hatton, Margaret Livingston, Jimmy Adams and Jimmy Aldine are in the cast.

are here to stay permanently. They have already anchored themselves into the hearts of the picture-goers. Films such as "The Singing Fool," "The Last Warning," "The Ghost Talks," and "Broadway Melody" have brought such a condition about.

And this is only the beginning. Miracles will be performed with this invention. Only the surface has so far been scratched.

THE CASE OF THE PACENT REPRODUCER

I asked Mr. Sam Morris, General Manager and Vice President of Warner Bros., if his company is backing Pacent, and he answered firmly, "No!" I asked Ned Depinet, General Manager of First National, the same question and he, too, answered in the negative. Mr. Depinet assured me that, just as an advertisement inserted in the trade papers by his company recently stated, they will service any instrument, provided it gives a fair tone quality.

The next person that ought to know something of this matter naturally was Mr. A. Warner. I called him up on the telephone and informed him that there are rumors to the effect that either he or his brothers are backing the Pacent reproducer and asked him if there is any truth in the rumor. Mr. Warner stated categorically to me that neither he, nor any of his brothers, nor his company had any interest, direct or indirect, either in the Pacent or in any other talking picture device, and that his company will service any talking picture instrument that will give satisfactory tone quality. They are not imposing any difficulties on an exhibitor because he has this, that, or the other kind of device, but only because the tone quality of his instrument is very poor, if it is.

The categorical answers by Messrs. Morris, Warner, and Depinet ought to blast the rumor factories out of existence forever. The denials by these men are not political but genuine.

DISC RECORD LIBRARIES

Mr. A. G. Buck, of the Pict-Ur-Music Department, of Victor Phonograph Company, with headquarters at Camden, New Jersey, informs this office that the Victor PICT-UR-MUSIC LIBRARY RECORD SERVICE is now available to all exhibitors that use any kind of non-synchronous instrument, provided it gives fair tone quality. The library consists of an assortment of every type of music to fit any mood or theme in the motion picture. New selections are added to the LIBRARY almost every week. A complete set of sound records is in production and will be sent out to all users of this service.

A cue sheet for every picture that this department can get hold of is furnished to the subscribers. A cabinet with all the necessary aids to help the exhibitor trace the records he wants is furnished with this service.

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The COLUMBIA RECORD LIBRARY AND CUEING SERVICE consists of 180 specially se-

lected double records at a cost of \$204.25, f.o.b. Bridgeport, Conn. A mahogany storage cabinet to hold one hundred records goes with the service; also cue sheets for about ninety per cent of the nationally released pictures from September 1, 1928, to January 31, 1929, and a special disc enabling the musician to play particular parts of a theme song record. The weekly cue service, which includes all the national releases and is sold separately from the LIBRARY, is sold for \$20 down, to apply for the first month, and \$10 for every month for eleven months thereafter. This brings the cost of the cueing service for the year to \$130, or a total of \$334.25 (plus shipping charges) for the LIBRARY and the CUEING SERVICE, less 5% discount for cash in advance.

For more particulars address Mr. Woerner Doetch, care of Columbia Phonograph Co., Manufacturers Trust Bldg., 1819 Broadway, New York City.

BIRTH CONTROL PICTURES

Several weeks ago the Loew theatres showed a Movietone subject with Margaret Saenger delivering a lecture on Birth Control.

As I did not hear the lecture, I cannot say whether what Miss Saenger said was or was not offensive.

Whether the lecture was or was not offensive, however, is not the point at issue, but the fact that a producer controlled theatre circuit should have undertaken to touch on so controversial a subject. We all know that there are certain religions that consider it sinful even to think of birth control, let alone to advocate it; and as among those that go to picture theatres are also persons that believe advocating birth control is sinful, it is evident that the showing of such picture is harmful. Bear in mind that the average picture-goer does not remember where he has seen such a picture; all that he remembers is that he has seen it in a picture theatre. As a result he condemns all picture theatres.

The Loew Theatres must be very hard up when they are compelled to show such pictures to draw customers.

1928-1929 SUBSTITUTIONS—Article No. 4 Metro-Goldwyn-Mayer

"Mother and Sons" (909) was contained in the early Work Sheets, which carry the date of printing as of August (5M August). The later Work Sheets carry "Tide of the Empire" with that number, 909; but as they are not dated one cannot say when they were printed. It is manifest that Metro-Goldwyn-Mayer avoided giving the date of printing for a purpose. Those who bought the M-G-M pictures in August are not obligated to accept "Tide of the Empire" for "Mother and Sons."

The early Work Sheets carried "A Free Soul," from the stage play by Adela Rogers St. John, as No. 906; the new Work Sheets carry "The Bridge of San Luis Rey," from the novel by Thornton Wilder. Those who bought their M-G-M program in August are not obligated to accept "The Bridge of San Luis Rey" for "A Free Soul," because it is a story substitution for them.

"Flying Fleet," which is delivered for "Gold Brail," is not a substitution.

"A Woman of Affairs" does not seem to be a substitution; it is delivered for "Carnival of Life."

HARRISON'S REPORTS

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Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

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No. 10

PICTURES THAT WILL NOT BE MADE

Some of the producer-distributors have announced that they have dropped a certain number of the pictures from their productions schedules of the current season. They say to the inquirers the reason why they have been forced to take such a step is because of the new conditions, and the consequent new demands, created by the talking picture situation.

Several exhibitors have asked me if, in view of this decision of these producer-distributors, they have the right to cancel their contracts.

They have no such right; clause 16 of the contract relieves a producer-distributor of any liability in case he should not be able, for causes enumerated in that clause, to make a certain number of the pictures he sold.

Of course, "shrinking" the production schedule because of the new order of things created by the talking pictures is not one of the reasons enumerated in that clause; but you will have a hard time getting a decision on such a debatable point. So the best thing for you to do is to forget about cancelling your contract, if you have such a thing in mind. Moreover, in some instances the pictures dropped are of the less desirable grades.

Some of those that complain because of such "shrinkage" state that it is unfair for them because of the fact that the average for their remaining pictures is brought higher than they would have paid had they negotiated for the product with these pictures off. The only remedy for such exhibitors is a readjustment of the prices either by direct negotiations or through the arbitration board. If either of such steps fails, it is unfortunate, but there is no other means of relief.

Where a producer-distributor makes a picture only with talk, however, the matter differs; I believe that he can be forced to deliver a silent version to the exhibitor. And when he refuses to make a silent version because of his belief that it would not turn out to be a good entertainment in that form, it is my opinion that the exhibitor has a good ground for action before the arbitration board for relief; he can charge the producer-distributor with bad faith.

In the case of "The Lucky Boy," the matter differs: Tiffany-Stahl has already made "Ghetto," but it turned it into a talking picture and it now claims that it has not made "Ghetto." Harrison's Reports has proof that it has made "Ghetto" and that it is the same picture as "Lucky Boy." Several exhibitors played "Ghetto" last summer and have reported the fact to this office. (Those who have

not yet reported such a matter to this office they would render their fellow-exhibitors a great service if they would report it at once.)

In the case of "Joy Street," again the matter differs: Fox has produced "Joy Street" and for some reason best known to its executives it has put it on the shelf, making a new "Joy Street." I am waiting for the release of the "false" "Joy Street" to inform you of the fact. I am also watching to see under what title the real "Joy Street" is going to be released, so as to let you know about it. It may be released as a special. Who knows? Anything is possible.

JIMMY GRAINGER'S CHARTS

Under the caption, "Grainger's Brisk Drive; Fox Salesmen Warned," one of the trade papers published in this city (Variety) writes as follows:

"The most drastic inside sales promotion drive ever attempted by a big company sales chief is being started today (Wednesday) for Fox by James R. Grainger. The four walls of Grainger's office are covered with charts on which will be tabulated the daily work, from now on until convention, of every salesman. Each night Fox men in the field are instructed to wire Grainger personally the results.

"Especially is Grainger after territories not set which were closed at this time last year. He has issued a warning no alibis will be accepted; that the drive is for the double purpose of selling Fox and weeding out the men who can't outtalk the exhibitor.

"Stating that the drive is for volume business of the year, Grainger demands of every salesman that where he cannot re-sell an old account a new one will be the only excuse.

"Grainger warns that the shakeup will not wait until after the drive. The chart, it is indicated in his message, will enable him to shear individuals without waiting for the customary checkup and general exodus."

When the Fox salesman calls on you to sell you next season's product, remember Jimmy Grainger's charts. Remember also the prices you paid for Fox product the current season and the wonderful pictures of the "Win That Girl," and of "Plastered in Paris," quality you received.

By the way, there will have to be some explaining done by the Fox executives if they should happen to forget to deliver the eleven Movietone pictures with "spoken dialogue" they promised in trade paper ads last June. Those trade papers were delivered to some of you through the mails.

"The Faker"—with Warner Oland and Jacqueline Logan

(Columbia, Jan. 2; 5,651 ft., 65 to 81 min.)

A very good exposé of the fake means used by mediums in their endeavors to mulct their credulous victims of large sums of money. Warner Oland is quite a convincing medium, out to get all the money he can by materialistic methods. Jacqueline Logan, as his assistant, who got all the facts about people that were interested in spiritualism and then got them to attend the seances, even taking the job of secretary to a millionaire so as to persuade him to attend the meetings, too, is good. Charles Delaney, step-son of the millionaire, in love with the heroine, is a likeable hero. Gaston Glass, as the villain, step-brother of the hero, and the worthless son of the millionaire, is adequate. Charles Mailes is competent as the millionaire.

The story revolves around the activities of a medium and his assistant who are chased from town to town as they are caught by the police. The heroine meets the hero at a country club and both fall in love, the hero not knowing what she really was. Hired by the villain to be his father's secretary, she persuades the millionaire to attend a seance where he is confronted with the image of his dead wife (acted by the heroine) and is told to leave all his money to the villain. When the hero returns home and the secretary learns that he is the step-son of the millionaire, ashamed of her profession, she resigns. But as she wants the millionaire to favor her sweetheart, she assumes the role of the wife once more and, in the midst of the seance, exposes the fake and loses the respect of the hero, who had come to the seance to try to find out what hold the faker had on his step-father. But learning from the faker that it was because of her love for him that she had made such a sacrifice, she is taken back by the hero and his father and the unworthy son is once more disowned.

The scenes of the seances in which the heroine is shown exposed by the ring the hero had given her which she had forgotten to remove, are dramatic. There is also comedy, contributed by Flora Finch. Phil Rosen directed it well from a story and continuity by Howard J. Green.

Note: This is a story substitution, in that Rupert Hughes was to write the story, but Howard J. Green wrote it.

"The Kid's Clever"—with Glenn Tyron

(Universal, Feb. 17; 5,729 ft., 66 to 81 min.)

Once more Mr. Tyron is an ingenious inventor and a smart-aleck, who forces himself on the wealthy heroine; at first she found him too bold but finally fell in love with him. And although the acting is good and the action is fast, with plenty of thrills and some comedy, yet the sameness of the stories makes them a trifle tiresome, because the spectator knows just what to expect.

This time the hero, a mechanic, had invented a fuelless motor, which ran on land and in the water. After meeting the heroine at his garage, where he showed her his new automobile, she is impressed with the invention and persuades her father, an automobile manufacturer, to come and look the machine over. On the day the demonstration was to take place, the villain, a rival salesman, bribes the hero's helper to tamper with the machine, and

naturally the demonstration is a flop. The villain obtains the father's signature to a contract and flies away. But the hero, finding out about the trickery, attempts to interest the manufacturer through the heroine once more, but, unsuccessful in their efforts, he, the hero, drags the father, his sweetheart and his father's secretary, into the machine and they pursue the villain's plane on land and over the water in a hair-splitting race. Catching up to the plane, the villain makes his escape, but the hero had torn off his coat which contained the contract. The heroine's father, convinced that the machine was wonderful, naturally purchased the rights, and, of course, the young couple are made happy.

Kathryn Crawford is a charming heroine. Russell Simpson is good as the father. Lloyd Whitlock is the villain. Wm. Craft directed it well enough from the story by Vin Moore.

"The Dummy" (ATF)—with Mickey Bennett

(Param., Feb. 23; 5,354 ft., 62 to 76 min.)

Without the talk, "The Dummy" is a fair program picture. With the talk, it is not of a much higher grade. It is one of those old detective melodramas in which a child trails the criminals and brings about their arrest. In this instance, the criminals had kidnapped a little girl, and the boy-hero, by agreement with his employer, head of a detective agency, allows himself to be kidnapped by the same criminals, so that he might be enabled to learn the whereabouts of the little girl. By pretending that he is deaf and dumb, he succeeds.

The action arouses pretty strong interest and retains it to the end. A situation here and there is more suspenseful than other situations. The closing scenes, which show the young boy giving himself away by talking in his sleep, endangering his life, hold one in pretty tense suspense. The boy-hero's backing up the crook leader's machine and pinning the crook leader against the tree, holding him there until his employer and police arrived and arrested the crook ought to make children cheer him. The picture will, in fact, be cheered in several places by children, to whom it appeals the most. The tone quality of the sound is not so good; the volume, when shown at the Paramount, was beyond control; the actors seemed to talk with deafening voices, a defect which will drive many picturegoers away unless Publix delegates someone to watch the sound very closely.

The plot has been founded on the stage comedy by Harvey J. O'Higgins and Harriet Ford (It was put into pictures once before by Paramount, with Jack Pickford in the child role, I believe). Robert Milton has directed it. Ruth Chatterton takes the part of the mother whose little daughter had been kidnapped; but she cannot brag about her work in this instance. Frederick March, John Cromwell, Fred Kohler, Jack Oakie, Zasu Pitts, Richard Tucker and Eugene Pallette are in the cast. Mickey Bennet does well in his role as the child detective.

Note: There is no silent version with this picture. But there is no reason why there should not be, for it is not such an outstanding talking picture so that Paramount might fear that it will be hurt by a silent version. Besides, the construction of the plot is such as to lend itself to a silent version well.

**"The Lone Wolf's Daughter" (PT)—
with Bert Lytell**

(Columbia, Feb. 18; sil. 6,214 ft.; syn. 6,693 ft.)

The only talk in this picture occurs in the first reel. But it would be better if Columbia cut the talk out entirely and used its silent version only, for the talk does credit neither to the picture nor to Columbia. The sound quality is so poor that it is unintelligible. One hears nothing but "booming," as if the characters talked through their noses while their mouths and noses were gagged.

As to the story, it is good. It is the usual "Lone Wolf" story, in which Joseph Vance has Bert Lytell appear as a notorious ex-crook, who tries to undo some of the bad things he had done while practicing his profession by now doing good things. He has him detailed by Scotland Yard to watch a band of notorious crooks and to arrest them with the goods, so that their crooked careers might be ended by a prison term. He succeeds, but in carrying out his plans, he nearly loses the girl he loved and by whom he was loved. She happened to see him open a safe in which the jewels of guests were kept, and thinks that he is a crook. In the end, however, it comes to light that the jewels were still in the safe, hidden in a place where the crooks did not suspect. He also helps detectives to catch the crooks by having their picture projected on a television set.

Mr. Lytell is as good in the Lone Wolf's part as he has always been. Gertrude Olmstead is the heroine. Others in the cast are, Joseph Gerrard, Lilyan Tashman, Donald Keith, Florence Allen, Robert Elliot, and Louis Cherrington.

"Hearts in Dixie" (AT)—an All-Negro Cast

(Fox, synchronized, 6,444 ft.; 71 min.)

The first attempt to produce an all-talk picture with an all-negro cast seems to be a success. The story is not really a drama, but incidents of negro life in the South, just as it was immediately after the Civil War days, and just as it is now. There is a lazy negro (hero), for example, who is so lazy that one feels as if there is no lazier man in the world. Stepin Fetchit takes the part of this lazy negro, and does it with art. The situations in which he is shown becoming sweet to a woman after the death of his wife and inducing her to marry him so that she might work and provide for him the necessities of life while he basked in the sun and danced to the tune of music creates hearty laughter. The joys and sorrows of the poor negroes are shown in all naturalness. There is plentiful singing of negro ballads, the reproduction of which has been done successfully by the Movietone. There is also considerable deep pathos. This is caused by the death of the hero's wife, as a result of allowing the voodoo woman to try to cure her instead of calling in a doctor. Voodooism, as it is practiced among the Southern negroes, is shown in a realistic way.

In addition to Stepin Fetchit, Eugene Jackson, as the grandfather, and a boy and a girl, do excellent work. The story is by Walter Weems. It was directed by Paul Sloane and A. H. Van Buren. The sound reproduction is the best heard in a Fox picture. Although there is some "frying" and "sizzling," as a result of imperfections in the emulsion of the sound track, the ground noises are not so pronounced as they were in other Fox talk-

ing pictures and therefore they are not annoying.

It is a bold attempt on the part of Fox to make a picture with an all-negro cast and deserves watching as to how it will take. It will be interesting to find out how such a picture will be received, particularly in the South.

There is no silent version.

"Cheyenne"—with Ken Maynard

(First National, Feb. 3; 5,966 ft.; 69 to 85 min.)

A good Western; it is full of thrills, fast riding, a love story; and the actual scenes of an exciting rodeo, which displayed the expert skill of Mr. Maynard. Gladys McConnell, heroine, loved by the hero, is adequate. James Bradbury is the villain. The most thrilling scenes are the two mad rides the hero took through the town, the first when he was pursuing a Ford Coupe with the villain's men who were putting out of the way the drunken judge who knew too much; and the other when he drove the ambulance back to the rodeo, after he had escaped from the sanitarium, chased by the police. Plenty of comedy is mixed in.

The hero promised the heroine that he would ride her stable for the next rodeo, but the villain had faked a contract that tied the hero to his services. Not wanting to ride for the villain, the hero, learning from the drunken judge that the contract was faked, in an effort to rescue the kidnapped judge, gets himself in jail and is sent to an insane asylum as the court did not believe he was the champion cowboy. He escapes by driving the ambulance to the rodeo grounds. Hounded by the police, he carries off all the events, winning the champion cowboy title and also the heroine, for whose stable he rode.

Al Rogell directed it from the story by Bennett Cohen.

**"All at Sea"—with Karl Dane and
George K. Arthur**

(M-G-M, Feb. 9; 5,345 ft.; 62 to 76 min.)

George K. Arthur is a magician, and Karl Dane a sailor. While the magician is giving a performance, the sailor razzes him. The sailor challenges the magician to hypnotize him and the magician does so, and has him act silly before the audience. When the sailor comes to and learns what happened to him, he goes outside the theatre and waits for the magician to come out so as to beat him up. The magician "scent" the sailor's plans, and, to escape, puts on a sailor's uniform, which he took from the property room. But the sailor catches him and takes him to the recruiting office. The recruiting officer tells the magician that he had committed a grave offense but that he would be lenient with him if he would only sign certain papers. The magician signs the papers and finds himself inducted in the U. S. marine service, much to the amusement of the sailor.

The remainder of the picture consists of horse-play between George K. Arthur and Karl Dane, each of whom tried to take advantage of the other, with Mr. Dane getting the worst of it always. It is a good comedy, and should give a satisfactory evening's entertainment to any audience that loves comedy.

The story is by Byron Morgan. Alf Goulding has directed it. Josephine Dunn, Herbert Prior, and Eddie Baker are other players in the cast.

TWO SETS OF ARBITRATION RULES OR ONE?

Because of the fact that some secretaries of Film Boards of Trade still insist that contracts signed at the time the old arbitration rules were in force must be tried under those rules and not under the new rules, I addressed a letter each to Messrs. Nathan Yamins and Ben. Berinsteen, members of the committee that was appointed by the Trade Practice Conference to revise the Standard Contract and the arbitration rules, the following letter:

"I have had several exhibitors lately inquire of me whether the nine months' limitation for the outlawing of contracts contained in the new arbitration rules applies or does not apply to all contracts whether made prior to or after May 1, 1928.

Inasmuch as you were a member of the contract committee that agreed to the nine months' limitation, I feel that you are in a position to help straighten me out in this matter better than any one else.

Can you let me know what took place at the meeting and what was your understanding of it at your earliest convenience, so that I may help these exhibitors?"

Not sufficient time has elapsed for the receipt of an answer from Mr. Berinsteen, but Mr. Yamins has answered as follows:

"Dear Mr. Harrison:

"In reply to your inquiry of February 27th it is my recollection that when the Contract Committee revised the rules of arbitration it was not their intention to have two sets of rules, one to be used for disputes arising out of contracts executed prior to the adoption of the new uniform contract, and another set of rules for those disputes arising out of the new uniform contract, but to have only one set of arbitration rules to be used by boards of arbitration in all disputes being arbitrated.

"It should be remembered that in revising the rules of arbitration the Contract Committee did not affect any rights that became vested by reason of a contract previously executed,—in changing the rules of arbitration it did not change *rights*, but changed *procedure* for boards of arbitration and changed *remedies* of parties to a contract when there was a breach of a *right* under a contract.

"As to the point in question the only change made was in reducing the period from one year to nine months after the date of breach for submitting disputes to arbitration. In my opinion this applies to disputes arising under old as well as under new contracts, but it would appear to me to be equitable to start the nine months' period of limitation on May 1, 1928, for any breach that occurred prior to that date in order to prevent any injustice from being done to anyone.

"I trust that this gives you the information desired and if there is anything further that I can do I will be glad to co-operate with you."

Yours very truly,

NATHAN YAMINS.

The wish expressed by Mr. Yamins that old contracts be tried under the old arbitration rules deserves respect, but such a wish does not change the rights of the exhibitors that are summoned before a board for a dispute on this point. It is

what he and the other arbitrators had in mind at the time he was helping to frame the contract that counts. And this was that one set of rules shall be had.

IF YOU SHOULD SELL YOUR THEATRE

Several exhibitors have informed this office that, because they have sold their theatres, the distributors, with whom they have contracts, submitted to them an assignment blank to sign, which reads partly as follows:

"We request your consent to this assignment and agree that neither this assignment nor your consent hereto shall in any wise relieve us from any and all liability to you under the said contracts, and our liability thereunder shall continue as principals."

"Clause 11 of the contract reads as follows: 'This contract shall not be assigned by either party without the written acceptance of the assignee and the written consent of the other party; provided, that if the Exhibitor sells or disposes his interest in the theatre hereinafter specified, he may assign this contract to the purchaser of such interest without the written consent of the Distributor and such assignment shall become effective upon the written acceptance therefor by the assignee; such assignment, however, shall not relieve the Exhibitor of liability hereunder, unless the Distributor consents in writing to release the Exhibitor from such liability.'"

As you see, this clause holds the seller responsible in case the buyer should fail to carry out the terms of the contract. Such being the case, there is nothing to be gained by your signing the assignment. You can be protected by making a special agreement with the buyer, without the distributor's consent, which is not necessary. You should sign an assignment presented to you by a distributor only if you should be relieved of any further liability.

ABOUT "SUNRISE"

From what I have learned from those who have so far played "Sunrise," it will pay you to pay for it and lay it on the shelf. While it is an artistic piece of work, the theme is very unpalatable: the hero attempts to murder his wife, so that he might run away with another woman, with whom he was infatuated. It leaves an unpleasant taste.

ABOUT "STRANGE CARGO"

"Strange Cargo," the all-talk Pathe picture, was laughed at by the patrons of the Paramount theatre, where it was shown. This proves that the picture-goers are fast becoming educated to the point of knowing the difference between a good and a bad talking picture.

SUBSTITUTIONS RKO (FBO)

So far FBO, which now carries the name RKO, has not had any story or star substitutions. The only substitutions it has had have been those of director: "Sinners In Love" was promised with Ralph Ince and delivered with George Melford, and "The Circus Kid," which was promised with Ralph Ince and was delivered with Geo. B. Seitz. There has been also one star substitution in that "Tropic Madness" was promised with Anna Q. Nilsson and was delivered with Leatrice Joy.

HARRISON'S REPORTS

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SATURDAY, MARCH 16, 1929

No. 11

Facts About Talking Pictures and Instruments—No. 14

In Article 13 of this series, printed in the issue of February 23, it was stated that the exhibitor that wants to install a talking picture instrument must, before finally making up his mind, ask himself three questions: (1) "Are the acoustics of my theatre such as to give a good tone quality?" (2) "Is the instrument that I intend buying fitted with a sound projection system that will give the best tone quality possible?" and (3) "Has the sound been recorded with the best recording system so far developed?"

Means for an exhibitor to test the acoustics of his theatre and thus make it possible for him to answer the first question himself were given in that issue. How to get the right answers to the other questions will be given in this issue.

Leaving the question of amplification and of the mechanical perfection of the talking picture instrument to one side, it may definitely be stated that a talking picture instrument can give a good tone quality only if it is fitted with a good sound projection system. This brings us again back to the starting point, in the first article of this series, where the two different sound projection systems, the horn and the cone, were discussed, and their merits and demerits explained.

As said in that article, the cone system of sound projection is better than the horn system in that the cone is nearly free from undesirable resonances, whereas the horn is not; or, at least, not always so. Resonances in a horn are, as said, generated when the pitch of one of the notes reproduced by the diaphragm reaches one of the natural pitches of the air column in the horn; such air column is set to vibrating sympathetically, reinforcing that note, but leaving the other notes unaffected. (Such a reinforcement is noticeable particularly when the note in question is of long duration, or, in the case of speaking, when the speaker's voice is of the same pitch as one of the natural pitches of the air column in the horn.) This is naturally unpleasant to the ear, not only of those that are musically trained but also of those that have not musical training but are endowed with a musical ear by nature. On the other hand, the cones, being nearly free from such a defect, reproduce the sound much more nearly like the original sound.

Another defect in the horn system is the fact that the installation of the horns gives rise to engineering problems that some times are difficult, or too expensive, to solve. In some instances, for example, it becomes necessary to bore holes in the back wall so as to place the horns back of the screen. This method of installation often leaves the tips of the horns exposed outside the back wall. The placing of the horns back of the screen makes it also necessary to discard the screen the exhibitor uses and to employ a perforated screen. In the early days of sound instrument installations, it was thought that, if the spectator-auditors were to be led to believe that the voices came from the mouths of the characters, it was necessary to place the sound projectors back of the screen. Hence the employment of perforated screens. It is the system Electrical Research still follows. This theory, however, has been shattered by the cone system, for it has been found that, with the cones placed on each side of the screen, and sometimes at the top, the illusion is perfect just the same; so long as the action and the words are in perfect synchronism, the spectator-auditor, even he that sits in the front row, thinks that the voices come from the mouths of the characters.

One other engineering problem is the removal of the horns when the stage is needed for other attractions; steel towers, mounted on rollers, are usually constructed. This naturally adds to the cost of installation.

The cone system presents no such engineering problems; when the theatre has no stage, cones are placed all around

the picture screen. To avoid an ugly appearance, they are screened with muslin cloth, which is dyed black or the color desired. In theatres that have a stage, they are easily fitted to be hoisted out of sight when the stage is needed for other attractions.

In addition to the better tone quality, the cone system of sound projection diffuses the sound much better than the horn system. As said before, the horn possesses directional properties to a greater degree than does the cone; and as the number of cones that can be used is many times more than the number of horns, the sound can naturally be distributed much more evenly than could be possible where horns are used. Even where fewer cones than horns are used, the cones give a better distribution of sound. Perhaps it could be possible to get a better distribution of sound with the horn system by using a greater number of horns. But this is impracticable. Even if it were practicable, it would be much more expensive.

Do not buy a talking picture instrument unless it is fitted with dynamic cone sound projectors. As to the proper size of such cones, let it be said that tests in theatres as well as in laboratories have proved that the best size is anywhere from eleven inches to fifteen inches in diameter; but as the only size made within this range is twelve inches, you should insist that this size cones be furnished with the instrument, even at an additional cost. A twelve inch dynamic cone reproduces the low notes much more clearly than does a cone of smaller diameter. This was conclusively proved to me at a demonstration at a local theatre, where the tonal qualities of a twelve inch cone and of a nine inch cone were tested. By walking away from the sound field of the nine inch cone and entering the field of the twelve inch cone, I found that the tonal quality of the twelve inch cone was mellow, whereas that of the nine inch cone sharp and shrill. This test proved another thing, which should in theory be so; that the sound waves travel in a sort of broad beams. The conclusion is then that, if it is so with cones, whose shape is such as to send the sound out in nearly all directions, it is so to a greater degree with the horns, because their shape makes the beams narrower.

In the first and seventh articles of this series, the reasons why the film system is preferable to the disc system of sound recording were stated clearly; also the reason why the variable width system, which is used by the Photophone, is superior to the variable density system, which is used by the Movietone. Yet, as said in a recent article, the sound-on-disc system is not in immediate danger, chiefly because the public has not yet become educated in the talking pictures, just as it has become in the silent pictures, so as to be able to tell with as much precision as the most highly trained critic whether a tone quality is good or bad. At present, they are attracted to the talking picture by its novelty. The fact that the sound emanating from the horn comes out in a blast, jarring them, is of no great moment to them at present; they naturally attribute such a defect to the fact that the art is new and has not yet been perfected. They will, however, be able to distinguish an instrument that gives a good tone quality from an instrument that gives bad tone quality when instruments that give good tone quality are installed in greater numbers, giving those that attend talking pictures an opportunity to make a comparison. By the time they are put into a position where they can make a comparison, however, it is possible that the horn will disappear, being dislodged by the cone. It is possible also that a still more improved method of recording sound on disc may be invented, thus putting the disc system nearly on a par with the film system. For this reason, it will be well for those of you that cannot

(Continued on last page)

"The Letter" (ADT)—with Jeanne Eagels*(Param., March 16; syn. 5,868 ft.; time 65 min.)*

It is doubtful if any one of those that will see this all-talking picture will question its dramatic power. The closing scenes, in particular, reach dramatic heights that equal anything the stage might offer. The heroine, impersonated by Miss Eagels, had just been acquitted by a jury. She had told the court that the dead man had attempted to assault her and in the excitement she had shot and killed him; and because there was no evidence of her guilt, she was acquitted. The only evidence that would have proved her guilt was a letter she had written to the dead man on the evening of the murder, asking him to call on her. The letter was in the possession of the dead man's mistress, a Chinese woman, who threatened to deliver the letter to the courts unless the heroine agreed to pay her ten thousand dollars in cash, brought to her herself. The negotiations were carried on through the heroine's lawyer. The lawyer undertook to deliver the message to the heroine and to arrange for the interview with the Chinese woman, even though he knew that, in taking a part to such negotiations, he was violating the ethics of his profession as well as the law, it was the only way whereby he could save the heroine's neck. The heroine takes the money to the Chinese woman, and after a humiliating interview, in which the heroine was made to appear as having called on her to receive pay for immoral purposes (this being part of the Chinese woman's plot to humiliate the heroine for the derogatory remarks she had made about her) the heroine obtains possession of the letter. She is acquitted for lack of evidence. The husband asks the lawyer for a bill for the expenses of the trial. The lawyer tells him that there would be no charge for his personal services but that there would be a bill for ten thousand dollars for other expenses. The surprised husband demands to know where such a big sum of money had been spent, and the lawyer is compelled to produce the letter. It then dawns on the husband that his wife had been unfaithful to him, and that she had murdered the man not in self-defense, as she had asserted, but out of jealousy. The heroine begs him to forget the past, urging him to start their lives anew, telling him that it was her lonesomeness she had felt in the lonely rubber plantation that made her forget her duties to him as a wife. The husband tells her that he will not send her away, but that he will keep her there so that she might suffer from the pangs of her guilty conscience. The heroine tells him that that is perfectly satisfactory to her, for she intended always to remind him of the fact that she still loved the dead man, even though she had murdered him.

It is in the closing scenes, where Miss Eagels tells her husband that she will stay, that the greatest dramatic height is reached. This situation proves that Miss Eagels is a great actress, and that the talking picture is a medium through which dramatic values can be brought out with the same intensity as they are brought out through the medium of the stage. Whether, however, the picture will prove popular to the masses, that is another question. It is not a pleasant subject at best. The inclusion of the fight between a mongoose and a cobra, during which fight the cobra is killed, seems unwise; it gives one chills, for the sight of snakes is always cold to many persons.

The plot has been founded on the play by Somerset Maugham. Others in the cast are, O. P. Heggie, Reginald Owen, Herbert Marshall, Irene Brown, Lady Tsen Mei, Tamaki Yoshiwara, and others. (No silent version.)

"Spies"—with Rudolph Klein-Rogge*(M-G-M—UFA, Dec. 8; 7,999 ft.; 93 to 114 min.)*

A very good mystery thriller if the audience can endure the first two parts which are puzzling and almost meaningless because of the quick changes of situations, apparently without connection. But as it begins to knit, it holds the interest. There are plentiful thrills and suspense. A slight love story is interwoven. Probably highbrows will really enjoy it as it is rather fantastic and a bit complicated in its unraveling, not unlike the stories of Edgar Wallace and Conan Doyle. The intricate machinery of an immense spy system and its ultimate destruction as well as the exposing of the villain are disclosed in a thrilling manner.

The train wreck in a tunnel where the heroine rescues the hero is thrilling. The scenes of the final capture of the criminal spy's workers in his bank, where the gas pipes are turned on to kill the heroine, who is a prisoner, and the hero, who was searching for her, are thrilling and sus-

pensive. Gerda Maurus, heroine, is attractive and acts well. Willy Fritsch, hero, is likeable. Rudolph Klein-Rogge, the master spy, is excellent and wins the spectator's hatred from the start because of his ruthlessness. Fritz Lang directed it in typical UFA fashion from a story by Thea Von Harbou.

If pictures like "Metropolis" drew well, this, too, will draw. Otherwise don't play it.

**"Speakeasy" (ATF)—with Paul Page
Lola Lane***(Fox, March 24; syn. 5,775 ft.; 64 min. No silent)*

A well made pugilistic picture, in which the interest is maintained well all the way through, and in which sympathy is awakened for the principal characters, particularly for the heroine, who saved the hero, a college-bred young pugilist, from the hands of his double-crossing manager. The scenes of the fight are done according to the rules. The fight is well done. The recording of the talk has been done well, and the reproduction through the horn system of sound projection is fairly good. Mr. Page, the hero, has a great future ahead of him; he is young, handsome and a good actor. Lola Lane does remarkably good work as the persistent reporter; she acts with ease. Her personality, too, is charming:—

The heroine convinces the managing editor that she is a better reporter than any of the men he had on his staff and is given the assignment of securing an interview from the hero, a rising young pugilist. The hero at first refuses to grant an interview to the heroine because he felt that he had been treated unfairly by the press, and asks her to leave him alone. The interview was taking place in a speakeasy. The heroine's persistence annoys the hero at first, but makes him take an interest in the heroine afterwards. The heroine proves to him conclusively that his manager and his backer were double-crossing him. The heroine makes the hero reconsider his decision not to fight again; he accepts the challenge of the world's champion. In order to make the hero lose, the manager has the heroine abducted and locked up in a room. The hostess at the speakeasy regrets her despicable part and informs an old musician, who had been living by her bounty, that she had the heroine locked up in her room. The manager arrives and expresses his intention to go to the room where the heroine was kept for the purpose of "harming" her. The old musician shoots and kills him. The heroine is freed by the hostess and rushes to the arena, in time to encourage the discouraged hero and to make him win the fight. They marry.

The plot has been founded on the play by Edward Knoblock and George Rosener. Benjamin Stoloff directed it. Henry B. Walthall, Warren Hymer, Stuart Erwin, Helen Ware and others are in the cast.

It is a good entertainment. The only thing against it is its title.

**"The Younger Generation" (PT)—with
Jean Hersholt***(Columbia, March 4; syn. 8,217 ft.; sil., 7,394 ft.)*

The title does not indicate that "The Younger Generation" is much of a picture, but it is really of much greater than program grade. Though its theme is that of the much overworked Jewish family who rise from the slums to Fifth Avenue, it has been given a new treatment and has been made to appeal deeply to the emotions. The plot has been constructed well; the direction is good, and so is the acting, particularly that of the old reliable actor, Jean Hersholt; he awakens warm sympathy. Warm sympathy is awakened by Lina Basquette, too; she takes the part of the daughter of the newly-made rich family. She does not cease to love the young man of the slums, whom she had loved from childhood; riches had not spoiled her as they spoiled her brother (Ricardo Cortez). The closing scenes, which show the mother, after the death of her husband, leaving her swell-headed son and following her daughter with her husband and their baby is very pathetic; the son is left all alone in this world, and is a sad sight. The sight of the heroine remaining loyal to the hero even after he had committed a crime (he had helped some crooks to rob a jewelry store), marrying him before he had been arrested and waiting for him to serve his term, is inspiring.

The plot has been founded on Fannie Hurst's stage play, "It Is To Laugh." Frank R. Capra has directed it.

"The Canary Murder Case" (ATF)*(Param., Feb. 16; syn. 7,171 ft.; sil. 6,554 ft.)*

As an all-talk murder mystery melodrama "The Canary Murder Case" will occupy the front rank, for its plot has been constructed so intelligently that it is logical almost in every one of the situations. The identity of the murderer is kept secret until the end. Psychology is resorted to in the solving of the mystery. This makes the picture appeal also to the intellect. Psychology is employed with telling effect in a game of cards, purposely arranged by the famous criminologist with the object of getting an opportunity to study the character of each man suspected of the murder. The reasons that had made the criminologist feel convinced that the murderer was the young hero's father are logical; the murderer had betrayed himself when he tried to bluff the criminologist with a pair of duces. The hero gathered from this that he was the only one in the suspect group that would plan a thing deliberately and carry it out with mathematical precision. The interest of the spectator is kept alive all the way through. Mr. Powell is an artist as the criminologist; he is a good actor and has a voice that registers well.

The plot revolves around the murder of a gold-digger, who, being determined to marry the young hero, is murdered by the hero's father, because he did not want his son to be made to marry her, and money could not make her leave his son alone. He carries out his murder plan so methodically that he is not suspected. Several persons are arrested on suspicion. A famous criminologist is called in the case. He eventually solves the mystery; he discovers a phonograph record on which the voice of a woman was heard to scream and then to say that she was alright. The hero's father had made that record to lead the hotel clerk to believe that the voice was that of the gold-digger when he and the clerk heard it when he was leaving the gold-digger's apartment. The fact that the voice said that she was all right asking him to call on her again in the morning was to prove his alibi when the gold digger was found dead by him and by the hotel clerk the following morning. The father was killed in an automobile accident.

There is a great deal of comedy caused by Mr. Eugene Pallette, who takes the part of the all-wise detective; he had derided the hero on every occasion for his failure to detect the murderer by the process of elimination.

The plot has been founded on the story by S. S. Van Dine. It was directed by Malcolm St. Claire. Others in the cast are, James Hall, Jean Arthur, Lawrence Grant.

"Lady of the Pavement" (PT)—with Lupe Velez and William Boyd*(U. A., Feb. 16; sil. 7,495 ft.; syn. 8,329 ft.)*

The hero, attache of the Prussian Embassy in Paris (in the old days) is in love with a certain French countess. One day he rushes to the countess' to take some flowers to her and to kiss her hand. Impatient to see her he does not wait to be announced but rushes into her chamber. He is stunned when he finds the countess in the arms of another man. She tells him that the stranger was her Emperor. The hero tells her that he would rather marry a woman of the streets than marry her. The countess is so incensed because of that remark that she sets out to make him marry a woman of the streets. He sends for the chancellor and entrusts him with the task of finding a suitable woman. He finds the heroine, a beautiful girl, in one of the worst dives in Paris. She is taken to the countess and is set up in great style. The hero and the heroine meet at a ball given by the Countess, who presents the heroine as a girl just out of a convent. He falls in love with her. She, too, falls in love with him and although she, knowing who she is, wants to run away and hide from him, she hasn't the strength; she loves him too much. They marry. After the wedding ceremony the countess tells the hero that the heroine is a woman of the streets, and that he had had his wish complied with. The heroine upbraids the countess and tells her that although she is a woman of the cabarets, she is not a woman of the streets. She then runs away and goes back to the cabaret. The hero follows her and takes her home.

There are many things that could be praised in this picture. The acting of Lupe Velez, for example; also the lavishness of the production, as well as several dramatic scenes. But the fact that the countess' desire for revenge

is the foundation of the action makes the picture of doubtful entertaining value to many picture-goers. There is nothing in the direction that makes it stand out as a Griffith; any other good director could have done as good work. The story is by Dr. Karl Vollmoeller, Jetta Goudal takes the part of the countess.

"Sonny Boy" (PTD)—with Davy Lee*(Warner Bros., April 13; syn. 6,010 ft.; 66 min.)*

The story is nothing to brag about. It is, if anything, commonplace; it is in the main a bedroom farce. But little Lee is worth all the money people will pay at the box office to see the picture. The last few scenes, where the three-year-old boy sings "Sonny Boy," are a scream; every one in the audience laughed heartily, and approvingly, at the little fellow's attempt to sing. There are other situations where Davy is charming. The scene, for example, where his supposed grandfather finds him in his son's house, and promises him a dish of the best ice cream in town, and the little fellow asks him if he can depend on his promise for the ice cream, should make any one laugh. Miss Bronson, too, adds charm to the picture by her youth and pleasant personality as well as by her good acting. John T. Murray's hay fever, however, is not pleasant; the sneezes become annoying after the first few times.

The chief doings is a mother's sending for her sister (heroine) to carry away her son and hide him, because her husband threatened divorce. The husband's lawyer (Edward Everett Horton) is about to board a train for his vacation, but he is called back because Sonny Boy had disappeared. The heroine and Sonny Boy had hidden in the lawyer's apartment, thinking that they would be safe there for a few days while the lawyer was away. The lawyer's father and mother visit the hero. The heroine, when found by them, is compelled to tell them that she is their son's wife.

From this point on the complications become thick, particularly after the arrival of the lawyer, the supposed husband. Having overheard a telephone conversation between the heroine and her sister, mother of the boy, the lawyer learns the identity of the heroine and proceeds to act accordingly. It all ends with the marriage of the lawyer and the heroine, and the patching up of the differences between the father and the mother of Sonny Boy.

Leon Zuardo wrote the story, Archie Mayo directed it. Gertrude Olmstead takes the part of the mother.

"The Spirit of Youth"—with Dorothy Sebastian*(Tiffany-Stahl; Feb. 10; 6,216 ft., 72 to 88 min.)*

A nice little romantic drama; it is the human story of a librarian (heroine), who meets a gob while he is on shore and she falls in love with him. He falls in love with her, too, but soon forgets her. Four years later, he returns but is engaged to the wealthiest girl in town. He is the middleweight champion. When hero and heroine meet again, his love for her is rekindled. But not until after a charity exhibition bout which was staged by his fiancée and which he lost, did he realize that she loved him only for his title. He stages a comeback, however, and after his success, he and heroine are reunited.

Dorothy Sebastian as the heroine whose devotion to the hero is moving, is sweet. Larry Kent, at first the light-hearted sailor, falling in love in every port, but later as the more serious champion, is good. Others in the cast are Maurice Murphy, Anita Fremaut, Donald Hall, Douglas Gilmore and Charles Sullivan. All are adequate. Walter Lang directed it from the story by Eve Unsell and Elmer Harris.

N. B. This is an author substitution as it was promised as the story "Ramsey Milholland" by Booth Tarkington.

DYNAMIC CONE MOUNTING

Supplementing the remarks about the use of dynamic cones, let me say that tests in the laboratory as well as in theatres have proved that when the cones are mounted on a straight baffle board of about thirty inches square they give better results, as they help to bring out the bass notes more clearly. But, as said in a recent article of this series, concave baffle boards, or in the shape of a soap box, open at one end, must under no circumstances be used, for any cavity mounting tends to introduce undesirable resonances.

afford to install both systems to install a low-price disc instrument at present, waiting for developments. Perhaps in a short time after installing such an instrument you may make enough profits to enable you to buy a sound-head, or to install the best sound-on-film instrument that it is possible to obtain. It is also possible that, by the time you get ready to buy a film instrument, the big concerns may put out such an instrument at a price that will be within the reach of the smallest of you. But just now it is my firm conviction that it is necessary for you to install a talking picture instrument, if you are to stay in business. The public demands talking pictures, and if you cannot give them such pictures, they will go to the next town to see and hear them; and if there is no other town near you that gives talking pictures, most of them may stay away from silent pictures, feeling that you do not give them an up-to-date entertainment.

Of course, towns with a population less than three thousand may not be able to stand the strain of the increased cost of film in addition to the increased cost of operation. But such exhibitors should not attempt to give talking pictures with every change of program; they should show such pictures only once every two weeks, or, at least once every week, at a higher admission price. The showing of talking pictures would, then, be an event to the people of that town, and would make the higher admission prices justifiable. An attempt on the part of these exhibitors to give talking pictures at all times may, just now, lead them to disaster.

"THE MYSTERIOUS ISLAND"

"The Mysterious Island," which was sold to you by M-G-M in the 1925-2 season, has just been finished, and I have been asked by one exhibitor whether he is obligated to take it in case Metro-Goldwyn-Mayer should see fit to deliver it to him, and by another exhibitor, whether he can or cannot compel Metro-Goldwyn-Mayer to deliver it to him.

The second paragraph of the First Clause of the Uniform Contract, the form of which was in force at the time "The Mysterious Island" was sold, reads as follows:

"If any of said photoplays shall be released by the Distributor after the period above specified [that is, one year after the play-date contained in the first clause or as set by the provisions of the availability clause of the same contract], the Distributor shall be obligated to deliver such photoplays to the Exhibitor hereunder as though released within said period; and the exhibitor agrees to accept, pay for and exhibit them at such later period pursuant to the terms hereof."

This clause means that, if the distributor released one or more of the contracted photoplays after the life of the contract, he had to deliver them to the exhibitor, and the exhibitor had to accept them, no matter how long after the contract was dead such pictures were released.

But, just about the time the 1925-26 selling season started, the distributors, expecting a revision of the Uniform Contract as a result of demands by exhibitor organizations, framed and stamped the following provision on those contracts that were taken afterwards:

"This contract and each and every term and condition hereof, except the matter set forth in the schedule, shall be deemed amended, modified, added to and/or abrogated by the terms and conditions of the proposed new uniform exhibition contract if and when adopted and approved by Motion Picture Producers and Distributors of America, Inc., insofar as the terms and conditions of such new uniform exhibition contract shall or may be inconsistent with or additional to the terms and conditions of such new uniform contract, when so adopted and approved. shall be deemed incorporated herewith, to form a part hereof and to be binding upon the parties hereto."

This clause transformed the Uniform Contract into a Standard Contract.

Clause Eighteen of the Standard Contract provides that, where there is a delay of production (for reasons enumerated in that clause) of three months' duration, either party could cancel the contract by giving to the other party a notice of cancellation in writing within ten days after the three months' delay.

Taking advantage of this provision, Metro-Goldwyn, in the fall of 1926, sent letters to contract holders cancelling "The Mysterious Island." Some of the letters were sent in November, some in December, and some even in February, 1927.

The question now is, from what date had M-G-M the right to compute the three month's of the delay?

Since the picture was not play-dated, the three months naturally had to be counted from the last day of the life of the contract.

Now, the cancellation notice was sent by M-G-M haphazardly, (from November to February). So if the holders of contracts for "The Mysterious Island" still have that cancellation notice in their files and, after careful computation, they find that it was not sent in accordance with the provisions of Clause 18 of the Standard Exhibition Contract, they have the right to bring M-G-M before the arbitration board, demanding the delivery of this picture. On the other hand, those that have not the notice in question in their files can be forced by M-G-M to play the picture in case they did not, of course, send a notice of cancellation themselves, in accordance with their rights, given to them, too, by the provisions of the 18th clause.

Some of "The Mysterious Island" contracts do not have the "transforming" clause rubber-stamped on them. In such an event, the holders can force M-G-M to deliver this picture. On the other hand, this provision was in some cases rubber-stamped on them after the exhibitor signed the contract. In such an event, the rubber-stamped provision is null and void, provided the exhibitor still has the original memorandum copy to enable him to prove that the provision in question was rubber-stamped afterwards.

In case an exhibitor did not receive a cancellation notice and the exchange insists that its Home Office did send such a notice, then the Home Office will have to prove that it did send it.

But what chance have you to get justice under the prevailing arbitration system, where three interested parties and three semi-interested, and at times controlled, parties decide whether you are right or wrong?

AGAIN ABOUT THE "LUCKY BOY"

Despite the clear explanation of the fact that "Lucky Boy" is the same picture as "Ghetto," I still receive letters asking me for more information.

The Tiffany-Stahl Annual Announcement, put out last summer, stated that "Ghetto" was to be a story by Viola Brothers Shore, and to have in the cast, in addition to George Jessel, the following players: Margaret Quimby, Mary Doran, Gwen Lee, Wm. Straus. "Lucky Boy" is by the same author, and has the same cast in it. What more proof do you want that it is the same picture?

Oh, yes! I have more proof: The Regent Theatre, at Norwalk, Connecticut, played it several months ago as "Ghetto." So did the Strand Theatre, Lexington, Kentucky.

In the case of Lexington, I have received this additional important information: The Kentucky Theatre bought the "Lucky Boy." But while it played it, customers walked up to the box office and demanded their money back for the reason that, as they stated to the management, they had seen the same picture at the Strand as "Ghetto."

In other lines of businesses, when a member of an organization does something that is one-tenth as unethical as this, it is expelled from the organization ranks as being unworthy to be kept in the society of the other members. But so far we have not heard of Mr. Hays' taking any steps to force Tiffany-Stahl to deliver this picture to the exhibitors and to expell it from his Association in case it refused to do so. It is also painful that no other member of the Hays organization has brought charges against Tiffany-Stahl. Do they all approve its tactics?

Since you cannot get justice from the Hays organization, I believe that you should bring this matter to the attention of the Federal Trade Commission as being an unfair trade practice. Several years ago Fox took some George Walsh and Theda Barra re-issues, changed their titles, and sold them to the exhibitors as new pictures. A complaint was made to the Federal Trade Commission, and the Commission, after a short investigation, ordered Fox to "cease and desist."

If a "cease and desist" order should be issued by the Federal Trade Commission against Tiffany-Stahl, you have a case of damages in the courts. It will be no longer a case for arbitration. Tiffany-Stahl will not be able to hide behind the present arbitration farce.

Get busy! In the meantime, ask your lawyer if you have or you have not ground for the cancellation of your entire Tiffany-Stahl contract on the ground of bad faith. He will advise you what to do. And don't forget that when you attack the entire contract, you attack also the arbitration clause, and therefore you are not obligated to submit your complaint to arbitration until the case is finally disposed of in the courts.

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No. 12

Taking Away Your Property Arbitrarily

Many exhibitors have asked me whether "Weary River" is or is not their picture.

First National asserts that it is a special.

Four Barthelmess pictures were sold this year; Nos. 483, 484, 485 and 486. Of these, the titles of only two were given: "Diversion," No. 483, and "Mutiny," No. 484.

So far only "Mutiny" has been delivered, under the title "Scarlet Seas."

According to press reports, "Diversion" will not be made with Richard Barthelmess, but with Douglas Fairbanks, Jr. (How First National can "separate" your property, "Diversion" and Richard Barthelmess, without getting into complications is a problem that must be solved by them.)

"Weary River" carries the identification number 485; it is one of the numbers that belonged to the Barthelmess group, which was sold to you in the Presidential group.

Despite the assertion by First National executives that "Weary River" is not one of the regular pictures, it is my opinion that it is. It is evident that when Inspiration Pictures, Inc., started to make this picture, First National gave it its regular identification number; but after production proceeded to the point of showing how big it would be, First National withdrew it from the regular list and designated it as a special. There is no other reason why First National should have given it an identification number that belonged to the group of Barthelmess pictures it had already sold you if it were not so. It is also reasonable to assume that if First National intended to sell "Weary River" as a special it would have so designated it originally, just as it designated "Lilac Time," "The Barker," "The Divine Lady," and others. It is manifest that when First National found out how big it would be it was too late for it to withdraw the regular identification number without arousing suspicion.

Of course, the evidence in the case of "Weary River" is not as strong as is the evidence in "Lucky Boy," and "Joy Street." We have the facts by which we have proved that "Lucky Boy" is the same picture as "Ghetto," because "Ghetto" was shown in several theatres last summer and those who saw "Lucky Boy" demanded their money back on the ground that they saw it as "Ghetto"; and we know that the "Joy Street" that was originally sold to you was made last Spring and put on the shelf temporarily, and a new "Joy Street" has been produced by Fox, of cheap quality, with the hope that you will take it.

How many other pictures were taken from you by the producer-distributors is difficult to tell. But these few cases are enough to convince you, I am sure, that steps must be taken to prevent such oc-

curances. When a producer-distributor sells you a certain number of pictures with a given star, he should be forced to make those pictures before he can make another with such star.

The present policy of selling mere titles as the only identification mark is bad, too; for when a producer-distributor changes a title, a right he has under the terms of the contract, he leaves nothing by which you could identify the goods you bought. Under such circumstances, he can sell you a picture and, if the picture turned out to be good, can take it away from you and give you another picture, of inferior grade, in its place. When he sells you the pictures with only titles, he must have a certain kind of stories in mind. If so, he should be made to put down enough facts about those stories to enable you to identify them. If he sells you such pictures without any identification marks, then he has no stories in mind and no definite pictures. Such an act is, therefore, a fraud.

As said, if it were made impossible for a producer-distributor to sell another picture with your star before he had produced and delivered the number of pictures he has sold you with that star, it will be impossible for them to take pictures away from you by unfair methods.

The putting of your star in a special before the delivery of the full number of pictures with him or her is unfair for another reason; often you buy the regular pictures and your competitor, by outbidding you, secures the Special. (He can afford to). In such an event, he profits by the publicity you have given that star in your locality, to the detriment of your interests.

HARRISON'S REPORTS calls this abuse to the attention of Mr. Abram F. Myers, President and General Manager of Allied States Exhibitors Association, and urges him to take steps to prevent it in the future.

THE CASE OF "LUCKY BOY"

Because of the fact that I have been writing almost every week about the attempt of Tiffany-Stahl to take "Lucky Boy" away from you even though it is the same picture as "Ghetto" which many of you have under contract, it is possible that some of those exhibitors that haven't under contract "Ghetto" may be under the impression that it is a big money-maker. If so, let me disillusion them, for information sent me by many of those that have played "Lucky Boy," tends to confirm my statements in the review that it is not a big picture; it neither draws big crowds nor pleases much those that it attracts.

"Noah's Ark" (PT)*(Warner Bros.; sil., 7,752 ft.; syn., 7,401 ft.)*

It seems as if one-half million dollars were spent in the production of this picture. Despite this great expenditure of money, however, as a two-dollar admission entertainment, it is an imposition on the public. The story never rises above the intelligence of seven-year-old children, and the characters most of the time act as if they were infants. The action is incoherent. Not a single character awakens even the slightest sympathy; they seem to roam around without any idea of what they want to do; they have been cast into the story, and are dragged around by the author by the ear.

The story is a mixture of the Flood from the Bible, and of the World War. Two American boys are found in Paris when the War breaks out. The hero's chum wants to enlist, but the hero does not see any reason why he should enlist. Accidentally they meet a German girl (heroine). The one (hero) falls in love with her. He saves her from harm at the hands of a former Czarist spy (villain), who is in the employ of the French. They marry. The hero is eventually shamed by his pal into enlisting. The heroine remains in Paris while the hero is fighting at the front. She is in mortal fear lest the fact that she is a German become known, and shot as a spy. The heroine works in a cabaret for a living. The villain happens to visit that cabaret and recognizes her. He threatens to give her away unless she "submit" to him. She refuses to submit and he has her arrested. She is tried, convicted and sentenced to be shot. Among the soldiers of the firing squad is the hero. When he sees that the person to be shot is his wife, he drops his gun and rushes to her. At that time a shell, fired (conveniently) by a German long-range gun, strikes the building in which the heroine was about to be shot as a spy and buries the heroine, the hero, and others. By the time they are extricated peace comes.

The shooting is shown as being done by American soldiers. This is one of the inconsistencies of the construction of the plot.

The outstanding part of the picture is the flood, which represents the flood mentioned in the Bible. It is spectacular, but hardly gives the producers the right to charge a two-dollar admission price for it. The sets representing the king's palace are impressive.

The cast includes Dolores Costello, George O'Brien, Noah Beery, Louise Fazenda, Guinn Williams, Paul McAllister, Nigel de Brulier, Anders Randolph, Armand Kalitz, Myrna Loy, William V. Mong, and others. The plot has been founded on a story by Darryl Francis Zanuck. Michael Curtiz directed it.

Note: One other interesting feature was an electric sign in front of the Winter Garden, where the picture is shown; it was made by Mr. John Manheimer, an old exhibitor and active in organization matters, when there was an organization in this city. It is the most beautiful ever seen on Broadway. If the picture were as good as the sign, it might have been worth the admission price now charged for it. As it is, fifty cents would be enough for it, despite the great sum of money spent in its making.

The Warner Brothers are entitled to the gratitude of every one connected with the motion picture industry for having saved it from bankruptcy but not when they make such a picture as "Noah's Ark."

"The Sin Sister" (S)—with Nancy Carroll and Lawrence Gray*(Fox, Feb. 10; syn. 6,072 ft.; sil. 6,053 ft.)*

Although the material is of program grade, it has been handled pretty well; but the theme is not of the pleasant sort. It is of the "Mona Vanna" type, in that the heroine is placed into a position where she is required to sacrifice her honor in order to save the lives of others. Of course, nothing happens to her, for she had shot and killed the villain. But the "sting" is there, and exhibitors that cater to strictly family patronage will have a hard time justifying themselves if they should show it.

The story shows the heroine, a former trooper, the hero, secretary to a millionaire, the millionaire himself and his daughter ice bound in the arctic in a ship owned by the millionaire. A trader passes with dog teams and the millionaire offers him a large sum of money if he would take him his daughter, and his secretary (hero) to the nearest place

from where they could embark for Seattle. The trader agrees to take them. The hero induces the millionaire to take the heroine along. The heroine induces him to take a pal of hers, a young man, along. And the millionaire takes along the only woman left, a would-be missionary. The trader abandons them all in a cabin half way. The party is starving and cold; they almost give up hope of being saved. Suddenly an Esquimo appears and informs them that the trader will send them food if they would send him one of the young women. He stated that the old woman would not do. The millionaire's daughter would not go and urged, snobbishly, the heroine to go. The hero, incensed, grapples with the Esquimo, but he is shot and wounded by him in the arm. The heroine, in order to save the life of the hero, who needed medical attention, agrees to go to the villain. When she arrives in the villain's quarters, the villain makes insulting proposals to her. She finds an opportunity to shoot and kill him. She then orders the two Esquimos to take food and medicine along and to drive her to the marooned party. Eventually they all reach civilization.

The story is by Frederick H. Brennan and Becky Gardiner. Charles Klein directed it. Josephine Dunn, Myrtle Stedman, Anders Randolph, Richard Alexander, and others are in the cast.

Note: "Broadway Sally" (No. 22) is supposed to be the original title of this picture, which to some exhibitors was sold as "White Fury." But it is not the same story for the reason that "Broadway Sally" was to have been written by Howard McKent Barnes. You don't have to take it.

"Queen of the Night Clubs" (AT)—with Texas Guinan*(Warner Bros., March 16; syn. 5,424 ft.; 60 min.)*

In silent pictures, the story upon which this all-talking picture has been founded would have been considered program material, of the genus of melodrama. But the talk has upset conditions in exhibition to the extent that it will, if past performances of talking pictures are to be taken as a criterion, be received well. The production end of the picture is lavish. And the action is fast from the beginning to the end. There is not an idle moment, to be exact. It is manifest that the story was written to exploit the notoriety of Miss Guinan, who has had no little publicity as a hostess in a Night Club she conducted in this city. Yet the picture is not founded entirely on her notoriety; there is good acting and the night club life is presented in an entertaining way. The scenes, for example, that show Miss Guinan making introductory speeches and coaxing the patrons to give "a good hand" to those she introduced are full of comedy. The murder and the consequent effort of the police to solve it; the court-room scenes during the cross-examination of the witnesses; the scenes that show the attorney for the accused young hero discovering a clue in the form of a flashlight picture printed in a newspaper by which he is enabled to detect the real murderer—all these hold the interest well. Suspensive values are added by the last minute murder; the murderer shoots and kills the squealer, who had squealed to save his own neck.

The story, by Murray Roth and Addison Burkhard, tells about the fights between two night clubs, and the efforts of Tex Malone's (Texas Guinan's) disreputable partner to keep the rival night club under padlock and to "get" the young heroine, a new star attraction in Tex Malone's Night Club. The rival enters the heroine's dressing room for the purpose of doing some mischief, but before he had a chance to get away the heroine enters. He is thus compelled to hide in the closet. The villain boldly enters the heroine's dressing room for the purpose of making insulting proposals to her. During his stay there he tells the heroine how he was able to have the rival Night Club padlocked. The rival hears it all, and when the heroine demands of the villain to give her a gown so that she might be able to come out from behind the screen, he is shot and killed by the rival just as he reached to take the gown. The rival escapes. The young hero is suspected of the murder and is arrested. But he is cleared.

Eddie Foy, Jr., Lila Lee and others are in the cast.

It should give good satisfaction. There is nothing in it that could be considered "raw."

There is a silent version of this picture, but the footage has not yet been determined.

"The Cohens and the Kellys in Atlantic City" (PT)—with George Sidney and Mack Swain

(Univ., March 17; syn. 7,401 ft.; sil. 7,752 ft.)

The success of this picture will depend on how big will be the crowd that it will be shown to. The plot is not as comical as that of the first picture of this series, but there are enough situations in it to provoke laughter in a house full of people. This time the character that impersonates Mr. Kelly is Mack Swain. The part of Mr. Cohen is again impersonated by Mr. George Sidney. Both fit the parts well. Most of the action unfolds in Atlantic City, where Ma and Pa Cohen and Ma and Pa Kelly are arrested on suspicion; Pa Cohen had telegraphed to the Atlantic City police to arrest a woman named Cohen and a man named Kelly, meaning his daughter and his partner's son, respectively, who had gone to Atlantic City to join the beauty contest, and who were suspected of having eloped. When Pa Cohen and Ma Kelly arrive at Atlantic City, they are arrested by the police as the Cohen and the Kelly sought. Pa Kelly and Ma Cohen think that Pa Cohen and Ma Kelly had eloped and follow them to Atlantic City. They, too, are arrested on suspicion, and lodged in jail.

The remainder of the picture shows the Cohen and Kelly families in comical situations while in jail. Pa Cohen, resenting his incarceration, becomes boisterous and is put in the same cell with a murderer. Both are handcuffed. The murderer breaks jail and drags Pa Cohen with him. This is a source of comedy. There are other comical situations.

The characters talk in a few of the situations. This adds somewhat to the comedy values. The plot has been founded on a story by Jack Townley; it has been directed by William James Craft. Vera Gordon, Kate Price, Cornelius Keefe, Nora Lane, Virginia Sale, Tom Kennedy and others are in the cast.

"The Devil's Apple Tree"—with Dorothy Sebastian and Larry Kent

(Tiffany-Stahl; Jan. 20; 6,430 ft.; 74 to 90 min.)

Pretty good! The story is fairly entertaining, there are mild thrills and some suspense as well as a nice romance, and even though the heroine is an imposter, sympathy is awakened for her. Miss Sebastian is good and sincere, as she is in all her pictures. Larry Kent is a likeable hero; he remains true to the heroine even after he learned that she was not what she said she was. Edward Martindel, as the hero's father, is pleasing, and Ruth Clifford, as the other girl, is adequate. George Cooper is a mean-looking villain.

The heroine, on board the boat to take her to the South Seas, where she was to meet the man (villain) she was to marry, whom she had met by correspondence through a matrimonial agency, meets a girl who was going to the same place to live with a friend of her dead father. She is taken ill and her life is despaired of. When the heroine lands and sees that the villain was an old wreck of a man and a bum, instead of the good-looking one she thought he was, as he appeared in his picture, she pretends to be the other girl and is taken to the ranch of the hero and of his father, and fails to tell them her real identity. When the ill girl recovers and meets the heroine, she (the heroine), afraid of the outcome, runs into the jungle where she is captured by the natives, incited to rebellion by the villain because he wanted the girl. The hero rescues her from being burned alive as a sacrifice to their gods and despite the fact that she was not the Boston society girl but only an adventuress, they marry.

The fight with the hero and villain who tried to annoy the girl is not bad, though the scenes of the native uprising are artificial.

The picture was directed by Elmer Clifton from a story by Lillian Ducey.

"The Rainbow"—with Dorothy Sebastian and Lawrence Gray

(Tiffany-Stahl; Feb. 1; 6,114 ft.; 71 to 87 min.)

Local color, comedy and drama are mixed in this story of a gold rush faked by the villain to get the suckers to come to a deserted mining town so that he might make money by running his gambling den. Sam Hardy, as the villain, is very good. Dorothy Sebastian, his girl friend, is good, though her part is rather colorless, merely atmosphere to supply the thin love interest between her and the hero, one of the gold seekers. Mr. Gray is a pleasing hero. Paul Hurst contributes not a little of the comedy. L. C. Rigby wrote

the story and Reginald Barker directed the picture.

A member of the gang, while drunk, exposes the hoax of a fake gold rush and is killed by another member of the gang; and all meet their death in a sand storm and a cloudburst. Even the leader (villain) is killed, when his car is capsized. The angry crowd of gold-seekers is hot on their trail. Gold is discovered after the villain is killed.

The scenes of the mobs trekking across the country, their fruitless search for gold, and their chasing the gang, are mildly thrilling. The picture is on the whole fairly entertaining.

"Hey Rube"—with Gertrude Olmstead and Hugh Trevor

(RKO; Dec. 23; 6,262 ft., 72 to 89 min.)

A pretty good picture of carnival life, full of thrills, with a nice love story interwoven. Hugh Trevor is likeable as the hero, who ran the wheel of chance, and who took upon himself the care of a cripple, an acrobat, that had been injured in a fall. Gertrude Olmstead, as the secretary of the Association that ran the carnival, whose high ideals at first made her scorn the hero because of his gambling profession but who learned to love him because of his kindness in taking care of the cripple and for his courage, is charming. Ethlyne Clair, as the high diver, insanely jealous of the heroine, and in love with the hero, is excellent.

The picture was directed well by George B. Seitz from a story by Louis Sarecky and Wyndham Gittens. Walter McGrail, as the villain who vented his wrath on the helpless cripple is competent. Bert Moorehouse and James Eagle are in the cast.

THE THEATRE ANGOLA Angola, N. Y.

March 11, 1929.

HARRISON'S REPORTS,
New York, N. Y.

Dear Sirs:

Allow me to say that I have found your paper most valuable and am sincere in my admiration of your editor. This business might have amounted to something if there were more fighters in it.

Although I am a woman, I am a good fighter myself (if I do say so myself, which I shouldn't) and God knows I get chances enough in this arena to fight.

Running a theatre in a town of 1500 population is certainly entertaining, to say the least, and if you can understand a "schoolmarm" getting pitchforked into the job, you have the situation. Only a never-failing sense of humor and a determination to go down with my flag flying sustains me. I sometimes wonder what has saved me from committing "murder." Only the difficulty of disposing of the corpses, I guess. Certainly not the motive.

Laying all joking aside, I hope you keep up the battle; and now that I have enlisted on your side, we ought to win.

You have answered one question for me; that is, about "A Certain Young Man," which I bought in 1925 or on some such prehistoric date and which I simply refused to run more for the kick I get out of fighting with the Metro office than for any other reason. Just my feminine intuition told me that it was not fair to ring in any dead ones on us poor exhibitors. Now please tell me about "Dream of Love," numbered as 645, which I bought at the same time as the "Young Man," and which I have also dared the Metro office to try to make me pay for it. Am I right? The rental isn't enough to bust me but I had some ancestors who helped to dump the tea into the Boston Harbor and I am still at it—fighting for principles, I mean. If a producer can hold up a picture for four years and then "shoot" it at you, we have to get thicker armor.

Great old business if you don't weaken. All you have to do to exist is fight film salesmen, contend with neighboring exhibitors eleven miles away who feel that they should have protection over my town because the population of their town is two souls more than in mine, and keep a jump ahead of the sheriff. You can't complain, anyhow, that your life lacks color.

Yours very sincerely,
MRS. FRANK WIATROWSKI.

(Editor's Note: If the producers need a humorist to help them put a little comedy into their dreary pictures, they should grab Mrs. Wiatrowski.)

WHAT IS ART?

Mr. Quinn Martin, picture critic of the New York *World*, wrote the following in the issue of the Sunday *World* of March 10:

"Mr. Pete Harrison, who edits a daily pamphlet dealing professedly with the probable worth and possibilities of the passing films, has the following to say about 'Sunrise': '... It will pay you to pay for it and lay it on the shelf ... The theme is very unpalatable; the hero attempts to murder his wife so that he might run away with another woman with whom he was infatuated. It leaves an unpleasant taste.'

"Much more to the point, it seems to me, is the following paragraph which I borrow from John Gould Fletcher's interesting new booklet, 'The Crisis of the Film':

"'But the fact remains that "Sunrise" is one of the most beautiful sequences of pictures shown on the screen ...'

Mr. Martin closes his article as follows:

"It is always a little disconcerting to realize that when a fine motion picture is up for discussion in the public print it may pretty well be expected that the journals most closely associated with the industry itself will be the journals most likely to fail in their search for merit."

* * *

In my review of "Sunrise," which appeared in the issue of October 1, 1927, I said that "Sunrise" was a "marvellous production," and, "Like 'The Last Laugh,' it is a masterpiece." But Messrs. Andy and Herb Anderson, of State Theatre, Detroit Lake, Minn., informed this office that their customers did not find it such a picture. In fact, they went so far as to print a public apology in "The Detroit Lake Tribune," stating that they booked it after a high recommendation by HARRISON'S REPORTS. "Never in our eight years of operation of the State Theatre, in Detroit Lake have we been so humiliated and so completely misled in our selection of a picture as we were with the picture "Sunrise," presented this week for the benefit of the Girl Scout organization of this city. . . .

"Practically all Picture Theatre operators are guided in most instances in the selection of their pictures by what is called the HARRISON'S REPORTS, a paper published by P. S. Harrison, of New York City . . . who has a reputation of never mincing his words in condemning poor pictures. . . .

"Under no circumstances would this picture have been exhibited here had we known its content; but now all we have to do is to express our regret and ask our patrons and especially the Girl Scout organization to accept our humble apology for this most unfortunate circumstance."

Mr. Martin and others might say that the kind of audience and the smallness of the town might presuppose unappreciation; but a prominent exhibitor that has a theatre in a big town in one of the New England States informed me that many of his old customers stopped at his office and complained to him about this picture in strong terms. Other exhibitors, too, have informed me that they have had complaints about the nature of this picture's theme. This is what prompted me to advise those that have not yet played it to pay for it and lay it on the shelf.

There is no question that "Sunrise" is an artistic picture. But Mr. Martin forgets that the exhibitors

are not in the business for the purpose of educating the people; they sell, not art, but entertainment to make money with and if incidentally they contribute to the education of their customers all well and good. Otherwise they cannot pay the landlord, and the film companies will not accept wooden money. The film companies, in fact, want their money in advance. They make sure that they will get theirs before an exhibitor gets his.

Like all exhibitors, P. S. Harrison is not conducting HARRISON'S REPORTS to tell its subscribers how artistic a picture is. Every time I let my love for art get the upper hand in me I have caused a loss to many exhibitors' pocketbooks. "Sunrise" is one instance. "The Last Laugh" is another. But in "The Patriot" I did not let my artistic feelings run away with me, even though I had to take the opposite view of all daily and trade paper reviewers. The results justified me, for I have never yet seen a picture that made so big a success in this city and so big a failure in the rest of the country. I could mention many other similar instances, including Chaplin's "A Woman of Paris," which was declared as a masterpiece by the authors and received a prize, but which failed at the box office.

The great trouble with most critics is that after a while they feel as if everybody ought to bow to their opinion and if the great body of picture-goers do not agree with them, such persons are, in their opinion, not developed mentally to recognize art. The truth of the matter is that the combined average intelligence of the picture-going public, of any public, in fact, is far greater than the average individual intelligence. That is why critics receive frequent jolts; they see their opinions belied by the facts; pictures that they praise do not draw big crowds, and pictures they condemn draw big crowds.

Fall River, Mass., March 8, 1929.

Harrison's Reports,
1440 Broadway,
New York City.

Dear Mr. Harrison:

In your article in the issue dated March 9, 1929, on page 40 headed "Two Sets of Arbitration Rules or One," in which you print my letter to you verbatim, you have made some observations apparently based on this letter.

I am very sorry that you have misinterpreted the thought that I tried to express in my letter to you, but it is very far from my wish that old contracts be tried under old arbitration rules. I tried to make it as clear as possible that we intended that there should be but one set of arbitration rules and I still feel that arbitration boards should be guided only by the new arbitration rules.

Undoubtedly your misunderstanding is due to the next to the last paragraph in which I stated that in my opinion it would be equitable to start the nine months' period of limitations on May 1, 1928, for any breach that occurred prior to that date. This observation was made because it was obvious that if a breach occurred seven or eight months prior to May 1, 1928, the claim would have been outlawed by the nine months' period and therefore it would appear to me equitable that a reasonable opportunity be allowed to everyone to bring action within the period so that no rights may be lost.

In closing I want to again make it clear that in my opinion there is but one set of arbitration rules to govern arbitrators whether deciding disputes under old or under new contracts.

NATHAN YAMINS.

(Editor's Note: Mr. Yamins was a member of the Contract Committee appointed at the Trade Practice Conference to draw up a new contract, so this statement of his has weight, more weight than the opinions expressed by any of Mr. Hays' lawyers.)

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AN ANALYSIS OF THE FOX SUBSTITUTIONS

The trade papers of last June carried a Fox advertisement giving the titles of twenty-two of the pictures the Fox Film Corporation offered for sale. The following was the headline of that advertisement:

"22 out of the 52 New Fox Films in MOVIE-TONE—11 Movietone Productions Now Ready!—11 New sound pictures for immediate production will use Spoken Dialogue."

The advertisement appeared at the time when the talking picture craze had swooped down upon the unprepared industry. Every one of you knew that Fox had been experimenting in talking pictures for two years and felt that, next to Warner Bros., he was the only one that knew how to make good talking pictures. The fact that he offered you eleven subjects with spoken dialogue proved so alluring that you rushed to sign up for the Fox product, paying prices that you had not paid for block product before.

But what has happened? The Fox Corporation has failed so far to deliver the eleven "spoken dialogue" subjects he promised (he has delivered only 2), and the average quality of the synchronized product he has so far delivered is of so inferior a grade that it drives away the custom of those that run it all.

Just let us look into some of the pictures he has so far released:

"The River Pirate": An unpleasant crook melodrama, glorifying a crook, the kind of pictures that drive custom away.

"Fazil": An exhibitor writes that this picture should have been called "Fizzles."

"Win That Girl": A waste of valuable space to discuss it.

"Plastered in Paris": The story as poor as the title.

"Dry Martini": A Booze world.

"Me, Gangster": The story of a gangster whose life unfolds from the time he was a little tot and was taught by his father to drink, through his eleventh year, when he was a hoodlum, to his nineteenth year, when he became a full-fledged gangster, deceiving his mother and his politician father about his work. It is this kind of stories that have brought 150 bills into the legislatures of the different states. And it is this kind of stories that have "killed" the picture business.

"Sunrise": A one hundred per cent artistic flop. It failed even in New York City.

"Romance of the Underworld": A very good picture but still a crook melodrama.

"Riley the Cop": An insult to intelligent people.

"Blindfold": Another crook melodrama.

"Red Wine": Another booze world, and a tiresome picture.

"The Great White North": A Travelogue.

"Captain Lash": A water-front picture, in which the chief doings of the hero are "chasing" women.

"True Heaven": A fair world-war picture.

"Fugitives": An insult to the intelligence.

"The Sin Sister": If you run it, you will run down your business. It is the most disgusting picture that I have seen for some time. This kind of pictures are sure to bring about censorship.

"Speakeasy": The title of this picture is enough to keep many people away from theatres, particularly in the smaller cities and towns.

* * *

These are some of the pictures Fox has released, a big proportion of them crook melodramas. Any wonder that many of you are faced by bankruptcy? "Fox sure 'took' the exhibitors in this territory this season—like Grant took Richmond," said to me an exhibitor. "They looked great on paper. But after we played 'Street Angel' and

'Four Sons' we looked in vain for another 'special'."

The treatment Fox has given you this year is the most cruel that has been given you by any producer-distributor at any time in the history of the motion picture business. Not only has he failed to deliver what he promised; not only is the product he is delivering of "Arrow" quality; he is making every effort to foist on you pictures you have not under contract.

And yet there is a remedy for this wrong. There is in every state in the union, I am sure, a law that covers cases of misleading advertising. In most states misleading and misrepresenting advertising is a misdemeanor. Fox promised you eleven Movietone subjects with spoken dialogue. He has so far delivered only two, and it is doubtful if he will deliver more, for he is using his talking picture studio facilities in the making of all-talk pictures outside the contract. These promises were made on mediums that were transmitted through the mails. I don't know whether Fox has violated the law or not. But it is up to you to find out. It is the only way whereby you might be able to get justice. To attempt to reason with Fox is a waste of time. There is hardly a chance for you even before most arbitration boards, because in many territories your leaders are willing to "ride along" with Mr. Hays, whose lieutenants control the thoughts of the exhibitors, who are appointed by such leaders. And in serious cases, you cannot expect the exchangenemen-arbitrators to give you justice. The arbitration system is merely a collection agency, conducted for the convenience of the producer-distributors.

* * *

For the benefit of those that bought the Fox program this year, I am making a complete analysis of the Fox product in this issue, reprinting even some of what was said of Fox substitutes in other issues:

DRY MARTINI (26): The story of the finished product is the same as that promised, as is the director, but the stars are not; June Collyer, Edmund Lowe and Barry Norton were promised, but Mary Astor, Matt Moore and Albert Gran are being delivered. Since there has been a substitution of stars, you are not obligated to accept it.

ME, GANGSTER (24): Star substitutions; Lois Moran, Nick Stuart, and Ben Bard were promised, but June Collyer, Don Terry and Anders Randolph are being delivered.

ROMANCE OF THE UNDERWORLD (1): Star substitution; Edmund Lowe, Ivan Linow, Nancy Drexel were promised, but Mary Astor, Robert Elliot, Ben Bard and John Boles are being delivered. The story is the same.

PREP AND PEP (6): There has been a minor change in the cast in that David Rollins and Sally Phipps were promised and David Rollins and Nancy Drexel are being delivered.

"WIN THAT GIRL" (No. 2): In the Fox Annual Announcement, insert of which appeared in *Exhibitors Herald and Moving Picture World*, issue of June 2, William Conselman was given as the author; and as the plot of the finished product has been founded on an original story, "Father and Son," by James Hopper, it is a story substitution.

"RILEY THE COP" (No. 29): This is not a substitution.

"BLINDFOLD" (No. 8): The original title was "The Fog." No description of the story was given in the *Work Sheet*, but Charles Francis Coe was given as the author; and since "Blindfold" has been founded on a story by the same author, it is not a substitution. At one time, "The Case of Mary Brown" was given as the title of "The Fog."

(Continued on last page)

"Fugitives" (SF)—with Madge Bellamy (Fox, Jan 27; Syn. and Sil., 5,356 ft.)

If Fox had made up his mind to kill whatever drawing powers Madge Bellamy may have, he could not do so more successfully than by giving her stories such as "Fugitives." She could not have been more out of place. There is not a feature in it that could serve as an inducement for any exhibitor to run it; it is suitable only for the lowest class of theatres. The Fox production department evidently knew that this story had no merit whatever and tried to add some values to it by making chorus girls appear almost in the nude—as nude as the law permits.

The story is a murder melodrama, the heroine being accused of the murder of her employer; she had threatened to kill him because he had made insulting proposals to her, and when he is found dead she is arrested and is accused of the crime. Her trial results in her conviction. But while she was taken to the penitentiary, a pal of hers, who was secretly in love with her, rescues her from the hands of her jailers, and they escape to an island where all fugitives from justice congregated. A few years later the real murderer confesses; he had been shot and mortally wounded by the police while he was doing a crime and he wanted to pass away with a clean conscience. The District Attorney feels bad because he had helped to convict the heroine, an innocent person, and, knowing her hiding place, goes to her with the purpose of inducing her to come back to her home town. The heroine thinks it was a frame-up, but she is eventually convinced that he was telling the truth. They fall in love and marry.

The manner by which the author, or whoever was responsible, caused the heroine and the hero to fall in love with each other will tax the credulity even of seven-year-old children. As it stands, the picture is good for morons and imbeciles; it is not for sane people. (Sound on film only.)

"The Divine Lady" (SD)—with Corinne Griffith

(F. Nat., March 31; syn., 9,914 ft.; sil., 8,993 ft.)

An excellently produced historical play, in which the love affair between Lord Nelson and Lady Hamilton is depicted in an exceedingly interesting way. Miss Griffith takes the part of Lady Hamilton. When yet the daughter of a maid servant, she is seen by Greville, nephew of Lord Hamilton, British Ambassador to the court of the Kingdom of Naples. Greville becomes fascinated with her beauty. He learns that his uncle is easily charmed by women, and, fearing lest he marry one of them and make him lose his chances for inheriting his wealth, he throws the heroine in his way. He arranges it so that she and her mother go to Naples with Lord Hamilton. The heroine is heart-broken when she learns that Greville is married. Lord Hamilton falls in love with her and marries her. She becomes a persona grata with the Queen of Naples. Lord Nelson, with his ships battered and his men dying from scurvy as a result of lack of food, enters the Bay of Naples and calls on the King to ask his permission to revictual. The King, threatened by the French Ambassador with dire consequences should he help Nelson, refuses him help. The heroine calls on the Queen and implores her to aid Nelson. She reminds her what her fate might be, she being a sister of Marie Antoinette, should the English lose to the French. She points out to the Queen that, since the birth of an heir to the throne, she had the right to sign documents in her own right, as a member of the cabinet. She thus induces the Queen to sign an order, ordering the Sicilian authorities to give Nelson every aid he needed to revictual his ships. With his men well fed and with his ships in good trim again, Nelson meets the French Fleet and routs it. He returns to Naples and pays his visit to the heroine, whom he now loved, and by whom he was loved. Word reaches Nelson that the King of England is impatient to see him so as to bestow upon him honors commensurate with his services to England. But as he could not part with the heroine, he takes her along. At the King's reception the name of Lady Hamilton is omitted. When Nelson learns of the insult, he leaves the reception and goes to the heroine. Soon both retire to a country place and live a secluded life, devoted to each other. Captain Hardy comes to see Lord Nelson to inform him that Napoleon had again got together a formidable fleet, and to ask him to come out of his retirement and prevent the possible defeat of England. The heroine interposes, but Captain Hardy, by reminding the heroine that she had been the cause of his degradation, tells her that she should not stand in his way. The heroine gives in, and lets Lord Nelson take command of the British fleet again. Lord Nelson meets the French fleet at Trafalgar, defeats it, but he himself is shot and mortally wounded. He dies in the hands of Captain Hardy

with the knowledge that the French fleet was defeated and England saved.

The incidents of the Battle of Trafalgar and of the death of Lord Nelson have been reproduced with great realism. There is deep pathos in the scenes of Nelson's death. His famous utterances, such as, "England expects every man will do his duty," and "Kiss me, Hardy!" have been used effectively. Victor Varconi makes an earnest and sincere Nelson. Corinne Griffith does well as Lady Hamilton. In two or three places she is shown singing while playing on a harp; but no one will fail to guess that the singing is done by someone else. The first battle between the British and the French fleets is as thrilling as is the Battle of Trafalgar. Many ships are used. H. B. Warner does very well as Lord Hamilton, who did not want to investigate rumors about his wife lest they turn out to be true.

"The Divine Lady" is an ambitious production. It rightly belongs to the two-dollar class, both from the point of view of expenditure of money as well as from that of appealing qualities. The only thing against it is the fact that it is a costume play. But it will, no doubt, please every one that will see it.

The story was composed by E. Barrington. The picture was directed by Frank Lloyd. Ian Keith, Wm. Conklin, Marie Dressler, Montague Love, Dorothy Cumming and others are in the supporting cast. (Sound on disc only.)

"Tide of the Empire" (SD)—with Renee Adoree

(M-G-M, March 23; sil. and syn., 6,552 ft.)

Another tiresome drama of the days immediately following the taking over of California by the United States Government. As in all stories of this type, the chief doings are the injustices perpetrated against the Spaniards by the whites, who took their lands by force or by trickery. The hero is shown as winning the heroine's father's ranch at a race, but he would not turn the heroine and her father out, because he had fallen in love with her at first sight; he turned the deed over to the heroine and left, going to hunt for gold. The heroine's father shoots himself when he finds himself without a home or wealth, and the heroine goes in search of the hero so as to give him back the ranch deed, for she was too proud to accept charity. The hero is heart-broken that the heroine should have felt that way. Outlaws attack the town for the purpose of robbing it, but the hero and the townfolk, having been warned by the hero of the impending attack, prepare, give battle to the outlaws, and drive them away, killing some of them. Among the wounded is the heroine's brother; he had been forced by the leader of the outlaws to take part in the attack against his will. He is tried by an impromptu court, convicted and sentenced to hang. The hero, however, rescues him and they all return to the heroine's ranch, where he marries the heroine, who had learned to love him by this time.

The story is by Peter B. Kyne. Allan Dwan directed it. Renee Adoree is the heroine. George Duryea is the hero. George Fawcett is the heroine's father, and William Collier, Jr., the heroine's brother. Fred Kohler is the leader of the outlaws. (See substitution analysis, in the March 2 issue.)

"Seven Footprints to Satan" (SD)—with Special Cast

(F. Nat., Jan. 27; sil., 5,238 ft.; syn., 5,400 ft.)

People will no doubt enjoy this picture provided they don't take it seriously. It is one of the wildest mystery trap-door melodramas that have been produced in many a moon. The hero, a wealthy young man, is supposed to have a craving for adventure and is preparing for an exploration to some wild country. His uncle, in order to give him at home the thrills he craved for and thus prevent him from going to the hazardous trip he contemplated, prepares a would-be holdup, in which supposedly valuable diamonds are stolen, and has the hero, who tried to save the diamonds, abducted and taken to "Satan" in a queer mansion, where those that entered could not exit, because all exits were guarded by persons faithful to Satan. After being put through many mysterious and exciting experiences, he is finally ordered to tread the seven marked footsteps, that were marked on seven flights, so as to reach Satan, who was seated on a throne, being told that failure meant death to him. He succeeds in reaching Satan. Shortly afterwards he finds out that the Satan was none other than his very uncle, and that all this adventure had been designed for his benefit.

The picture has been directed by Benjamin Christensen, from a story by A. Merrit. Thelma Todd, Creighton Hale, Sheldon Lewis, Wm. V. Mong, Sojin, Laska Winters, Kala Pasha, Cissy Fitzgerald, and others are in the cast.

"Night Club" (ATDN)—with a Star Cast*(Param., Feb. 23; 3,389 ft.; 37½ min.)*

A reproduction of life at a Night Club. It is not a story, but incidents from Night Club life, put together. The settings are lavish, and the dancing and singing excellent. And most of the players that appear in it are famous on Broadway, and some of them throughout the nation. Fannie Brice, for example; Pat Rooney, and Pat Rooney, Jr.; Bobbe Arnst, Tamara Geva and others. Some of the incidents are pretty human. Others are interesting, as being true to life. One incident shows a young wife complaining that a young woman is making love to her husband. When the wife exits, a friend of hers threatens the young woman with dire consequences unless she stops making love to her friend's husband. In another incident a girl screams and stumbles into the room trying to get away from a drunken man; she takes a pair of scissors and goes out to meet him. In still another, a man is waiting outside the girls' dressing room waiting to run away with one of the girls, the girl having decided to go with him to help her invalid sister. There are many other such incidents handled delicately.

Pat Rooney and Pat Rooney, Jr., do dancing numbers. Fannie Brice does two singing numbers. Other players do numbers, too.

There is very little drinking shown, which speaks well of the wisdom of the Paramount producers, for the lack of drinking scenes does not detract from the atmosphere; or, more drinking scenes would not have made the picture more realistic.

The story is by Katherine Brush; it was directed by Robert Florey. It is being paired with "Pusher-In-The-Face" to make one program of feature length. (ATDN means all-talk, sound-on-disc, no silent version.)

It might prove a good attraction as a novelty.

ANALYSIS OF FOX SUBSTITUTIONS*(Concluded from other side)*

supposed to have been the original title of this picture. The contract contains the following meagre description: "Brilliant rise from baggage smasher to Broadway millionaire, featuring Victor McLaglen." The same description is given in the Work Sheet, in addition to giving Lois Moran as the leading woman, and James Tinling as the director. In the finished product, however, Mr. McLaglen does not become a millionaire but a railroad engine fireman, and Leatrice Joy appears in the leading woman part. John Ford has directed it. It is a theme substitution and you don't have to accept it.

"BLUE SKIES" (13): "Nobody's Children" is supposed to have been the original title of this picture. The author of both is the same—Frederick H. Brennan, but the stars are not, for Nancy Drexel, Barry Norton, and Margaret Mann were promised in both the Work Sheet and the trade paper insert (June 2 *Exhibitors' Herald*), but Helen Twelvetrees, Frank Abertson and Rosa Gore are in the finished product. It is also a director substitution in that Lew Seiler was, according to both Work Sheet and Insert, to direct it but Alfred L. Werker has directed it. You don't have to take it.

"GIRLS GONE WILD" (5): "Girls Who Will" is supposed to be the original title of this picture, but "Girls Who Will" was promised with Madge Bellamy, whereas "Girls Gone Wild" is being delivered with Sue Carol. It is a star substitution and you are not obligated to accept it.

"SPEAKEASY" (4): This picture has been made only as a "talker." Riders were sent out by Fox several months ago asking the holders of contracts for this picture to release them from the obligation of delivering it. Those who did not sign a Rider are entitled to a silent version, and if Fox will not make a silent version they have the right to bring him before the board on the ground of bad faith, demanding either the cancellation of the entire contract or damages. The picture lends itself to a silent version, and you are entitled to receive it, although I doubt the wisdom of your demanding it, if your theatre is in a small town, on account of the fact that the title is bad for small towns and may drive people away.

"NOT QUITE DECENT" (20): "A Night in a Pullman" is supposed to have been the contract title of this picture. That is what the Detroit Fox manager says. But the manager of another zone says that the Detroit man is wrong; he is delivering "Fugitives" for "A Night in a Pullman." How can two pictures be one is a magic trick that only Fox can perform. However, here are the facts: "A Night in a Pullman" was, according to the Work

Sheet, to have Sammy Cohen and Jack Pennick as stars, and was to have been directed by Henry Lehrman; "Not Quite Decent" has June Collyer, Louise Dresser and Alan Lane in the cast. IT IS NOT QUITE DECENT for Fox to attempt to fasten this picture upon you, because it is not what you bought.

According to another bit of information that has been sent to this office, "The Grouch Bag" is supposed to have been the original title of "Not Quite Decent."

Another exhibitor tells me that, according to the Fox manager of his zone, "Wise Baby" (32) is the original title of "The Grouch Bag." If so, then "Not Quite Decent" descended from "A Night in a Pullman" (20); "A Night in a Pullman" descended from "The Grouch Bag"; "The Grouch Bag" descended from "Wise Baby"; and since also "The Fugitive," which at one time was called "Exiles," descended from "Wise Baby," we have a daughter born of two mothers. That is possible only in the Fox Film Corporation family; no other firm could have performed such a miracle.

You are not obligated to accept "Not Quite Decent" either for "A Night in a Pullman" (20) or for "Wise Baby" (32).

"TRENT'S LAST CASE" (12): "Under Two Clouds" is supposed to have been the original title of this picture. But "Under Two Clouds" was described in the contract as a "Naval Aviator story." The Work Sheet described it as follows: "A naval aviation story co-starring those inimitable clowns of the screen—Sammy Cohen and Jack Pennick." It was to be directed by Benjamin Stoloff. The finished product, however, unfolds in the interior of a palatial country home in an exclusive residential colony, and deals with Sigsbee Manderson (Donald Crisp), an embittered cripple, who believes that his wife, Evelyn (Marceline Day), had been unfaithful to him and that she loved his secretary, Jack Marlowe (Lawrence Grant). In revenge he plans to send Marlowe on a secret errand with a brief-case containing valuables, to shoot himself in the forearm, and then to claim that Marlowe had assaulted him, thus getting him sent to prison for robbery and attempted murder. It is a long way from a Naval Aviation story to a murder melodrama; and a longer way yet from Raymond Griffith, Marceline Day, Raymond Hatton and Donald Crisp, the players that appear in the finished product, to Jack Pennick and Sammy Cohen, the players that were promised with the original picture. But anything is possible where the Fox organization is concerned.

You don't have to take it; it is not your picture.

* * *

These are the facts about the Fox substitute pictures.

The Fox Film Corporation refuses to accept cancellation of the pictures it is delivering with a different story, theme, star or director, calling the attention of the exhibitors to a provision printed in the Work Sheet, which, according to its own assertion, gives it the right to make such changes.

I have looked over the Work Sheet and found the following provision printed in it: "With Tentative Titles, Casts and Directors."

Many exhibitors have written, telephoned and telegraphed to this office asking me whether Fox is justified in the stand he has taken or not.

There is nothing for you to become excited about. By asserting that it can make changes in the titles, casts and directors, because of the "tentative" provision in the Work Sheet, the Fox Film Corporation makes the Work Sheet automatically part of the Schedule in the contract. Let us now see what can happen under the "tentative" provision: Since "story" and "theme" are not included in the "tentative" provision of the Work Sheet, Fox cannot force you to accept pictures in which the story or the theme has been changed.

TITLES: No one can dispute the right of Fox to make changes in the titles of pictures. Clause 10, which stipulates, "Nothing herein contained shall limit the right of the Distributor to change the title of any of such photographs . . ." gives him such a right. For this reason it was altogether unnecessary for the Fox Film Corporation to include "Titles" in its "tentative" provision. But he did it, manifestly to create confusion in your minds.

CASTS: By "Casts," the Fox Corporation does not mean "Star"; if it did, then it would be possible for it to sell a picture with Madge Bellamy as the star and deliver one with Miss Puffy Hugh; or a picture with Douglas Fairbanks and deliver one with Bull Montana. So you don't have to accept any picture in which the star has been changed.

But as no particulars were given for "The Case of Mary Brown," there is no way whereby we could make comparisons to enable us to tell whether it is a different picture or not.

"HOMESICK" (No. 9): This picture was sold with Sammy Cohen and Jack Pennick, to be directed by Benjamin Stoloff, but is being delivered with Sammy Cohen and Harry Sweet, and has been directed by Henry Lehrman. It is a star and director substitution. You don't have to take it.

"RED WINE" (No. 17): Considerable juggling has been done by Fox in this picture. The original contracts gave No. 17 to "Husbands Are Liars," and No. 21 to "Red Wine." No. 17 has now been given to "Red Wine." Fox now says that the two titles, which originally were listed as two different pictures, are the same picture. I doubt if even Houdini, were he alive, could have made any one believe it.

Those who bought both "Husbands Are Liars" and "Red Wine" and are offered "Red Wine" for "Husbands Are Liars" are not obliged to accept it, for, since the two titles are contained in your contract as two different pictures, one picture cannot be the other. The fact that "Husbands Are Liars" was described in the Work Sheet as "A sure-fire domestic comedy drama of suspicious wives and husbands. . .," whereas "Red Wine" is the story of a husband whose actions recur with clock-like regularity, is another proof that they are not the same picture and that, consequently, you are not obligated to accept it, not mentioning the fact that there is a substitution of stars: Edmund Lowe, Earle Fox, and Marjory Beebe were promised with "Husbands Are Liars," but Conrad Nagel, Sharon Lynn, and Arthur Stone are being delivered with "Red Wine."

Nor are you obligated to accept "Red Wine" even if it is being delivered to you as the picture you bought with the same title originally, for the "Red Wine" you bought was to be "An intoxicating story of the social whirl; rich, spicy, daring and glamorously vibrant with burning lips and hearts ablaze," and was to have Lola Salvi and Ben Bard in the cast, whereas the "Red Wine" Fox is delivering is, as said, a story of a husband whose actions recur with clock-like regularity, and has Conrad Nagel and Sharon Lynn in the principal parts.

"THE GREAT WHITE NORTH" (No. 7): In the Fox Annual Announcement, insert of which appeared in *Exhibitors Herald and Moving Picture World* of June 2, this picture was described as: "Strong Drama in the Great White North!—Shipwrecked . . . frozen . . . starved—one man, an Eskimo, has it in his power to save five shipwrecked Americans. His price is the engineer's daughter, played by June Collyer. But Mary Duncan, in the role of a stranded and desperate vaudeville actress, goes to his igloo to sacrifice herself. In a battle of wits, she wins food, safety, honor, life.—Strong fare with a strong cast: June Collyer, Mary Duncan, Charles Morton, Ivan Linow, Ben Bard."

In the May 29, 1928, Work Sheet, this picture was described as, "An extraordinary gripping story of Arctic Adventure with a cast of youth, personality and charm at its most charming best." Lew Seiler was given as the director, and June Collyer, Mary Duncan, and Charles Morton as the cast. The same description, with the same director and cast, was given in a Work Sheet of a later date.

"The Great White North" that is being delivered is nothing like what was sold you. It is merely the photographic record of an expedition in the Arctic to find traces of the explorers that were lost on Herald Island ten years ago, when they were separated from the Steffanson Expedition.

"Lost in the Arctic" was shown at the Gaiety Theatre, on Broadway, this city, last July. It was kept on the board for several weeks, being given a "forced" engagement.

"CAPTAIN LASH" (No. 34): In the Fox Annual Announcement "Captain Lash" was described as "A Mississippi Romance by Charles Francis Coe." John Ford was to direct it, and Victor McLaglen was to appear in the leading part.

In the Fox Work Sheet of June 4, it was thus described: Directed by the maker of "Four Sons" and "Mother Macchree" and with an all-star cast: This opus is based on a story aboard river boats and ashore along the lower Mississippi, written by Charles Francis Coe." Victor McLaglen, June Collyer, and Farrell Macdonald were given as the principal players.

The finished product, however, has no resemblance whatever to the original picture. According to the Fox press-

sheet, "An ocean liner is about to sail from Sydney to Singapore. Captain Lash, a huge bulk of a man so-called because, in the figurative sense, he uses a whip in handling his gang of firemen on the vessel, arrives at a dock after riotous times ashore with his pal, Cocky. A striking pretty blonde girl—Cora Nevins—alights from a car and goes up the gangplank. She attracts the attention of Captain Lash, who never has seen such a trim pair of ankles—never, in fact, has seen such a dainty young woman, used as he is to lovemaking and fighting in harbor brothels. . . ." It is a long way from Mississippi to Sidney and to Singapore, and a longer way yet from the Mississippi river front to the brothels of Singapore and of the rest of the Oriental ports. But such are the ways of the Fox Film Corporation—they have put the late Houdini to shame.

The story of the finished product has been written, not by Charles Francis Coe, but by Daniel Tomlinson and Laura Hasse; it has not been directed by Jack Ford, "the director of 'Mother Macchree' and of 'Four Sons,'" but by John Blystone. It is a story and director substitution and you are not obligated to accept it.

"TRUE HEAVEN" (No. 30): The original title of this picture is supposed to have been "False Colors." But, according to the Work Sheet, William K. Howard was to be the director, and Lois Moran, Edmund Lowe, and Margaret Mann the principal players. The same director and cast were given in the Annual Announcement Book. No author was given in either. But James Tinling has directed the picture, and George O'Brien, Lois Moran, and others appear in it. It is a star and director substitution and you are not obligated to accept it.

"FUGITIVES" (No. 32): The original title of this one is supposed to have been "Wise Baby." The Fox Work Sheets describe it as "The story of a manicurist who learned enough about men from cuticles to avoid the hang-nails and pitfalls of the great white way." James Tinling was given as the director. The finished product, however, deals with Alice Carroll, a singer in a famous night club, the "Black Pig," who is discovered in the office of Al Barrow, proprietor, who lies dead on the floor. Circumstances point to her as the murderess. She had just been engaged in a violent quarrel with Barrow, and had been discharged. It is a long way between the employment of Madge Bellamy as a manicurist, and her part as a singer at a night club, accused of murder. It is a theme substitution, and you are not obligated to accept it. It is a director substitution, too, since James Tinling was to direct it but William Beaudine has directed the finished product. (See review in this issue.)

"The SIN SISTER" (No. 22): This is supposed to be the new title of "Broadway Sally," which to some exhibitors was to be delivered as "White Fury." In looking over the Fox Work Sheet, I find that the following description is given of "Broadway Sally": "A blazing story of the wise-cracking great white way, by Howard McKent Barnes." Nancy Carroll and Charles Morton are given as the principal players. The finished product, however, has been founded on a story by Frederick H. Brennan and Becky Gardiner. Nancy Carroll and Lawrence Gray are in the principal parts. It is a clear story and star substitution, and you are not obligated to accept it.

"MAKING THE GRADE" (No. 33): Not a substitution.

"NEW YEAR'S EVE" (No. 31): "Strong Arm" is supposed to have been the original title of this picture. In looking over the Fox Work Sheet I find that no author is given; the story is described merely as "A story of mystery and intrigue." George O'Brien and Lois Moran, however, were given as the principal players, and J. G. Blystone as the director. The finished product has been founded on a Cosmopolitan Magazine story "One Hundred Dollars," by Richard Connell. Now, if the original picture were to have been founded on this story, Fox would have naturally stated so; no producer will be foolish enough to pay big money for a story that has received so much publicity in a popular magazine and then to hide the fact from those to whom he is selling it. So far as logic is concerned, it is a different story. But logic is not what guides the producers and their pet arbitration system; and so I doubt if you can make the arbitrators give you a favorable decision on that count. You can, however, reject it on the ground that it is a star substitution, for the picture is being delivered with Mary Astor and Charles Morton, instead of with George O'Brien and Lois Moran.

"STRONG BOY" (36): "The Baggage Smasher" is
(Continued on other side)

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When the Validity of the Contract is Questioned!

It has been the habit of the distributors, when they approve a contract outside the time limit specified in a particular zone, and the exhibitor refuses to acknowledge it, to hail the exhibitor before the arbitration board.

This paper has contended that the distributor has no right to bring the exhibitor before the board under such circumstances.

In a desire to find out whether this contention is correct or not, I applied to Professor Wesley A. Sturges, of the Law School of Yale University, for an opinion. The questions as submitted to Professor Sturges are printed herewith, with his answer. Commercial Arbitration has been the hobby of Professor Sturges. He has written many articles on Commercial Arbitration for law journals and other publications, and is considered an authority on matters concerning arbitration. (He is now preparing a new edition of his book on Commercial Arbitration.) His opinion, therefore, carries weight.

Question

The 21st Clause of the Standard Exhibition Contract specifies that the applications for a contract an exhibitor signs must be approved within the time limit specified in his zone, or else they "shall be deemed withdrawn."

Despite this specific provision, often the distributor, when the exhibitor refuses to accept a contract so approved, summons the exhibitor before the arbitration board on "breach of contract."

Since the exhibitor, in refusing to acknowledge the contract, questions its validity, and with it the arbitration clause, what steps should he take, in case he should not see fit to arbitrate such a contract, to prevent the distributor from proceeding with the case before the arbitration board?

If the distributor, despite the exhibitor's protest, proceeded with the arbitration of the case, and the exhibitor failed to put up a defense or even to appear at the trial, and the arbitrators, by authority vested in them by Section 4A of the New York Arbitration Act, render an award favorable to the distributor, what steps should the exhibitor take to prevent the enforcement of the award?

Let us assume that the exhibitor is 300 miles away from the center of distribution. In case it is necessary for him to apply to the courts for an injunction to prevent the enforcement of the award, should he apply to the Federal or to the State courts?

In case it is better for him to apply to the courts of his state, can he apply to a court in his town, outside the county where the exchange is situated?

In case the exchange is in another state, what steps should he take to prevent the enforcement of

the award until the courts have heard it?

The Answer

By PROFESSOR WESLEY A. STURGES

The first question presented by your case goes to the validity of the contract. More specifically: the exhibitor's position is that there was no valid acceptance of his offer because it was not made until after the offer had expired. This matter goes to the validity of the arbitration clause as a contract as well as to the validity of the general contract which contains the arbitration clause.

If the exhibitor refuses to arbitrate the alleged breach of the alleged general contract, the distributor can proceed under section 3 or 4 of the New York Arbitration Law to have the alleged arbitration contract enforced. That is the distributor can apply under section 3 for a general order from the court that the exhibitor perform his arbitration contract. The distributor can also make application under section 4 of that law for a more particularized order by the court that the defendant exhibitor appoint one or more arbitrators according to his alleged contract of arbitration. As alternative relief the latter application may call for the appointment of one or more arbitrators by the court if the exhibitor neglects or refuses to appoint according to his contract of arbitration. Applications under section 3 and 4 may be joined or these particulars of relief which are sought may be enumerated in a single application.

The exhibitor can defend against these applications. It is expressly provided in the New York law that the defendant to the application which is made under the foregoing sections of the arbitration statute can by his answer duly pleaded thereto, put in issue "the making" of the alleged arbitration contract and have a trial of that issue as therein provided. I am of the opinion that the issue of timely acceptance of the offer constitutes an issue on "the making" of the contract as that term is used in connection with sections 3 and 4 of the New York Law.

I am equally convinced that the matter could be made a defense to any similar enforcement proceedings which might be brought under the other arbitration statutes.

If the exhibitor in question entered into a submission agreement to arbitrate the question of "the breach," or, if he went further and participated in the selection of particular persons to act as arbitrators under such a submission agreement so entered into by him, it seems very probable that he would be held thereby to have "waived" the question of the technical validity of the formation of

(Continued on last page)

"Clear the Decks" (PTF)—with Reginald Denny

(Univ., March 3; Syn., 5,740 ft.; Sil., 5,792 ft.)

A very good part-talk comedy. It is, in fact, a greater laugh-provoking comedy than any of those released since the year when "Skinner's Dress Suit" and five other Denny comedies of the same caliber were released. Some of the situations are old stuff. For instance, Denny is made to walk among women in his nightshirt. Nevertheless, they provoke comedy just the same. The cause of the comedy is a mixture in identities. The hero impersonates his chum. His chum's aunt wanted her nephew, whom she considered ill, to go abroad for a cure, but he did not want to go. So he induces the hero to go. And as the hero wanted to be near a girl (heroine) he had met and fallen in love with at first sight, he is glad to take his chum's place. On the boat he is placed under the care of a man nurse his chum's aunt had hired. This leads to many complications, for the hero wanted to be near the heroine and the nurse would not let him have it his way. Things end with the hero's capturing some crooks, who had stolen the heroine's necklace, and with the revelation that he is not the chum but himself, posing as his chum to be near the heroine. The heroine admits to the hero that she, too, believes in love at first sight. They become engaged.

Mr. Denny and the other players talk in three or four places (on the film). The plot was founded on E. J. Rath's novel, "When the Devil Was Sick." Joseph P. Hennebry directed it. Olive Hasbrouck is the heroine. Others in the cast are Otis Harlan, Lucien Littlefield, Golette Merton, Brooks Benedict, Robert Anderson, and Elinor L. Leslie.

"Chinatown Nights" (ATF)—with Wallace Beery and Florence Vidor

(Param., March 23; Syn., 7,081 ft.; Sil., 7,145 ft.)

Despite the lavishness of the production and the thrills the spectator is made to feel by the unfolding of the events, "Chinatown Nights" is too depressing to be entertaining. To begin with, no one will believe that an "uptown" girl, supposedly from Park Avenue or from Fifth Avenue, could have fallen in love with a white murderer, king of Chinatown, and no doubt a white slaver, sacrificing her reputation as well as her comfort for him, for the reason that such a thing as this does not happen very often in real life. And even if it could be believed, it is not a pleasant thing. The Tong wars, where people are dropped by bullets like flies; the death of the youngster, shot by mistake by one of the hero's Chinese murderers; the scenes where the heroine is shown, first, intoxicated, and afterwards seriously ill, are not pleasant sights either—no one relishes seeing a white society woman so degrade herself. It is surprising that Miss Vidor has consented to play such a part, which is not edifying, to say the least.

Samuel Ornitz's story, "Tong War," furnishes the plot. William Wellman directed the picture. Warner Oland, Jack McHugh, Jack Oakie, and a host of Chinamen are in the cast. The characters talk all the way through.

Not a Sunday School picture by any means.

"The Wild Party" (ATF)—with Clara Bow

(Param., April 6; Syn., 7,167 ft.; Sil., 6,036 ft.)

This is another attempt to prove, through the medium of the motion picture, of the talking kind this time, that the modern girl is not bad, even though her actions might lead people to believe that she is bad. The chief effort of the director and of the author seemed to have been how much they could expose the bodies of Clara Bow and of other women characters without bringing the wrath of the law upon the heads of those that would show it. It is true that the sex element is not as pronounced in this picture as it was in "Dancing Daughters." Nevertheless it directs a strong appeal to the sexual passions, just the same.

The heroine is shown as a frivolous student in a college, her chief business being to visit cabarets and to dance and jazz with men students. This eventually leads her to unhappiness; she falls in love with her instructor, professor of anthropology. He, too, falls in love with her. A girl student (of the sneaky kind) sees her enter the professor's quarters at night time, and threatens to pass the word around. Her chum loses an unsigned letter she had written to her beauty and the "sneaky" student finds it; she turns it over to the leader of the class. When the heroine finds out about it she visits the class leader and takes the letter away from her, asserting that it was hers. In order, however, not

to compromise the class leader, she calls on the faculty while in session and states that the letter was hers and not her chum's. She then resigns. On the train, to her great surprise, she finds the professor, who informs her that he, too, had resigned, because he was unable to bear a separation from her. They decide to marry and to go away.

Warner Fabian, author of "Flaming Youth," wrote the story, and Dorothy Arzner directed it. Fredric March, Shirley O'Hara, Marceline Day, Joyce Compton, Adrienne Dore, Jack Oakie, Phillips R. Holmes, Ben Hendrick, Jr., Jack Luden, and Jack Raymond are in the cast.

Not for Sunday schools, but great for big cities.

"The Godless Girl" (PTF)—with Lina Basquette

(Pathe, March 31; Syn., 9,328 ft.; Sil., 9,019 ft.)

There is no reason why this picture should have been made. It is not entertaining and, if Mr. DeMille's object was to inspire the godless with fear of God, it fails of its purpose. Certainly no one could say that the cruelty of the reformatory guards and matrons, supposedly God fearing men and women, would make a non-believer believe in God. Nor is there anything else in the picture that would move a godless person to change his views about God. It is simply an attempt on the part of Mr. DeMille to use God for profit. The picture is nothing but one cruelty after another:—

The heroine, a Godless girl, and the hero, a God fearing young man, both students in a college, are sent to the reformatory because during a riot, caused by the hero, who wanted the heroine and her society to stop from teaching godlessness, a young girl had been killed. At the reformatory almost every known cruelty is practiced on them as well as on other inmates, even to turning the electric current on a wire fence, sizzling their hands. At the reformatory, the hero falls in love with the heroine, even though he saw her only rarely. The extreme cruelty of one of the guards forces the hero to make up his mind to run away and to take the heroine along. He finds an opportunity to do so. With the help of bloodhounds the guards are able to trace them and to arrest them. They are brought back and placed in solitary confinement. Fire breaks out in the girls' side of the reformatory and the heroine is in danger of burning alive. The hero, however, climbs the roof and descends into the burning building. He has a fight with the cruel guard, but overpowers him and takes the keys away from him, rescuing the heroine. The guard is trapped by fallen burning timber, but the hero drags him out half dead. Before dying the guard recommends that the hero and the heroine be released. Hero and heroine marry, the heroine having turned to God.

The talk occurs only in the last reel. There isn't sufficient of it to justify the producers in classing it even as a part-talk picture. George Duryea, Marie Prevost, Noah Beery, Eddie Quillan and others are in the cast. The story is by Jeanie McPherson.

"This Is Heaven" (PTD)—with Vilma Banky

(United Artists-Goldwyn; Syn. 7,948 ft.)

A comedy-drama. The story is not very big; it is of program grade. But it is pleasing just the same. Miss Banky is heard to talk in several places. As to whether her talk will prove effective, however, or not, it is a question. She has a decided accent and her enunciation is not very good. It might be better to leave the talk out entirely.

Miss Banky is presented as an immigrant, who in a short time after landing in the United States learns the language and the manners of the American people. She meets the hero, a millionaire, but she takes him for a chauffeur. She falls in love with him. The hero, too, falls in love with her. He keeps on pretending that he is only a chauffeur, planning to surprise her just before their wedding. But a misunderstanding arises that nearly wrecks their love affair; her uncle took the money she had saved for a home of theirs and, in order not to postpone their wedding, she calls on the villain for help; he had told her that he would help her at any time she needed help and went to him. The hero sees her and places the worst construction upon her visit. A break occurs, which is soon patched up. He takes her to a beautiful house on Fifth Avenue, which he had purchased for her, where he tells her that he is not a poor man but a millionaire. They marry.

The story is by Arthur Mantell. Alfred Santell directed it. James Hall is the hero. Lucien Littlefield, Fritzi Ridgeway, and Richard Tucker are in the cast.

"Honeymoon"—with Polly Moran, Harry Gribbon and "Flash"

(Metro-Goldwyn-Mayer; Dec. 29; 4,823 ft.; 55 to 63 min.)

All the makings of a two-reel slapstick comedy stretched out into a feature length production, with forced situations and a weak story; it is a poor picture. Both Miss Moran and Mr. Gribbon do good work, as does "Flash," but their work is in vain, as they get so few laughs.

The story deals with a middle-aged bride and groom who on their wedding day are presented with a dog to accompany them on their honeymoon, the dog being told that he should never let a man touch his mistress, the new bride. Their troubles start when they are driving in their little car; the dog escapes and traffic is tied up because the bride could not drive. They continue on to their hotel. The dog escapes from the cellar and chases a guest's pet kitten all over the hotel; he causes so much damage that the couple are compelled to steal away from the hotel in the teeth of a storm and to seek shelter in what turned out to be a boot-legger's shack. Police continue to follow them and they are forced to fight the police with guns furnished by the boot-leggers. The shack is blown up but the dog remained.

Robert A. Golden directed it from a story by Lew Lipton.

"The Greyhound Limited" (PTD)—with Monte Blue

(Warner Bros., March 23; Syn., 6,114 ft.; Sil., 4,696 ft.)

This is an old fashioned railroad melodrama with the usual thrills of wrecks, rescues and a last minute reprieve from a death sentence. It is brought up to date with a few talking sequences which neither harm nor particularly add to its value. It makes a fair program feature. Monte Blue is a good hero and Edna Murphy is a sweet heroine. Grant Withers is good and Lucy Beaumont does good work also.

The story revolves around two railroad men, pals, the hero, an engineer, and the pal, his fireman. The hero boards with his pal and his mother. He tries to save his pal from the clutches of the heroine whom he believes to be a gold-digger, by pretending to be in love with her. This makes the pal take to drink and to leave home. While drunk in a speakeasy, a gang of crooks kill the proprietor and the pal is convicted of the murder, because of circumstantial evidence, and sentenced to death. The gang of crooks rob the restaurant where the heroine is a waitress, and bind and gag her. She hears them talk over their plans to wreck the train on which the hero is taking one of the gang to be questioned by the police. The heroine escapes and races in an automobile to warn the flagman to switch the train, but it is impossible to do so. Just as the collision is about to take place, the hero has the cars uncoupled and he jumps out of his cab in the nick of time. The heroine tells the hero that the crooks are coming and they both round up the gang and get them to confess that they had committed the murder. The hero's pal is saved just at the right moment. The heroine is shown later as married, but not to either of the pals, which makes it a rather novel ending.

The picture was directed well by Howard Bretherton from a story by A. Howson.

"Spite Marriage" (SD)—with Buster Keaton

(M-G-M, April 6; Syn., 7,047 ft.; Sil., 6,500 ft.)

If the last half were not so long drawn out and had more laugh provoking situations, this would have been an exceedingly good comedy. As it is, it is only pretty good. There are many side-splitting scenes in the first half, contributed as much by the good work of Miss Dorothy Sebastian (heroine) as by Mr. Keaton (hero). There are some drinking and bedroom scenes in it, but, although they are harmless, they are, nevertheless, unsuitable for children.

The story revolves around an actress (heroine) who is in love with her leading man. He has become infatuated with a society girl. The hero, a tailor, is deeply in love with the heroine and he attends every performance, sends her flowers, and even takes a minor part in her play, causing a riot and breaking up the show. (This is one of the funniest spots in the picture.) The heroine, for spite, marries the hero, and on her wedding night, disgusted with her weak-willed husband, becomes hopelessly intoxicated at a cabaret. Her husband has a hard time trying to get her back to the hotel and to bed. (These are the other very funny scenes; they are handled delicately.)

The second half of the story takes them on board a yacht, the heroine cruising with a party including her former sweetheart, and the hero (having escaped from a rum-running schooner on which he had been shanghaied), swim-

ming away from his captors and landing on the yacht. There is a fire and all but hero and heroine escape. The heroine, of course, finds out that her husband is very brave and so she decides to keep him.

There is too much repetition in the hero's efforts to beat the rum-runners who had come on board and to save the heroine from their clutches. The spectator is glad to have them finally rescued by the yacht owner.

Edgar Sedgwick directed the picture well from a story by Lew Lipton. Others in the cast are Edward Earle, as the leading man, and Leila Hyams as the other girl.

"Behind Closed Doors"—with Gaston Glass and Virginia Valli

(Columbia, Feb. 24; 5,897 ft.; 68 to 84 min.)

While it has some slight elements of suspense and thrills usual to mystery stories, yet it is so indifferently acted and so conventionally directed that it is a bit tiresome. And none of the cast does outstanding work. The mildly suspenseful situations take place in the office of the Ambassador, where two men are mysteriously killed as they are about to disclose the identity of the spy. This is rather a surprise.

The story, familiarly enough, revolves around the efforts of the royalists to attempt to raise enough money to overthrow the ruling power of the newly made republic. An agent of the republic (hero) is sent to America to find out where the leaks were occurring whereby the royalists knew what was going on. He meets the heroine, a singer, entertaining the Ambassador's party, arranged by his aunt (the real spy) and falls in love with her. But the compromising situations in which she is found by the hero led him to believe that she was the spy until she disclosed her identity and she proved to be a Department of Justice employee, trying to find the leaks in the embassy, too. After the mystery is solved, they resume their friendship and all is well.

R. William Neill directed the picture, from the story by Lillian Ducey and H. Milner Kitchin.

A fair enough feature for neighborhood houses.

Note: This is an author substitution in that the contract and Work Sheet promised it to be a story based on a novel by Williard Mack. You don't have to take it.

"Strong Boy" (SF)—with Victor McLaglen

(Fox, March 3; Syn. and Sil., 5,526 ft.)

A very good comedy, of program grade. There is a great deal of comedy throughout. Most of it is caused when the hero is promoted to the Lost and Found Department of the railroad. His friends, in order to make him look successful, grab anything they find before them and take it to the hero. Among the found things are a boy about three years old, a monkey, goats, rabbits, and other animals as well as things. The little boy and the monkey are the greatest source of comedy. There are some thrills in the picture, too. These occur towards the end, where the hero overpowers four holdup men who had held up the train on which he was a fireman. A visiting queen and her retinue were passengers, and the crooks wanted to steal the queen's jewels. There is a love affair, too, the part of the heroine being taken by Leatrice Joy.

Frederick H. Brennan wrote the story, John Ford directed it. Farrell MacDonald, Clyde Cook, Slim Sumner, Jack Pennick, David Torrence and others are in the cast.

WESTERN ELECTRIC SUES PACENT

On Monday last it became known that Western Electric Co. brought suit in the United States District Court for the Southern District of New York against Pacent Electric Co. and Pacent Reproducer Corporation for violation of a group of eight patents which Pacent is using in the manufacture of his talking picture instruments.

What effect the Western Electric move will have upon the manufacturers of other devices can be easily guessed. It may retard the development of the exhibition of talking pictures in that the sale of instruments may be confined in the two major companies—Electrical Research and R. C. A. Photophone.

"The Trial of Mary Dugan," the M-G-M all-talk picture, is a powerful drama. It will make history, just as "The Singing Fool" and "Broadway Melody" have made. "Syn-copation," RKO, is an excellent all-talk musical comedy, of the "Broadway Melody" type. Reviews will be printed next week.

the contract. If he went still further and participated in a hearing before the arbitrators so appointed under such a submission agreement without objection to the validity of the contract the effect of "waiver" might be even more certain.

But under the Motion Picture system there is, of course, a standing arbitration board. The question of "waiver" resulting from the appointment of particular arbitrators suggested above will not often arise in practice thereunder. The execution of a particular submission agreement for the particular case will be involved, however, and the question of "waiver" by so doing can arise. As a result, the exhibitor will refrain from executing a submission agreement to arbitrate "the breach of contract" so as to preserve his defense of legal invalidity of the alleged contract.

In view of the foregoing *defensive* position which is available in such a case, I believe it is very doubtful if a court would grant *affirmative* remedy to the exhibitor to restrain (by injunction or otherwise), the distributor from initiating proceedings for arbitration. (So far then as the remainder of your questions are predicated upon the possibility of such remedy I omit comment).

Section 4A does not affect the defensive position of the exhibitor other than as follows: If the arbitration board proceeds *ex parte* under the arbitration clause, that is, if the exhibitor in question refuses to attend and does not attend the hearing, he may also refuse to perform the award. When proceedings are instituted under the statute to enforce the award the exhibitor can defend against its enforcement in the same manner, substantially, and for the same causes, as in the proceedings to enforce the arbitration agreement. More specifically, for present considerations, "the making" of the arbitration contract may be put in issue in such a case when proceedings are instituted under the statute to enforce an award.

Of course an *ex parte* hearing under 4A presumes a valid quorum of the arbitration board. If there is defect in that respect the enforcement of the award is also open to defense on that ground.

If such an *ex parte* award were sought to be enforced by common law procedure, it is my opinion that the same matters of defense would be available against such enforcement. Of course at common law there is no procedure to enforce an *agreement for arbitration*—that is, the courts will not order a party to perform generally, or to appoint arbitrators. And, at common law, the courts will not appoint arbitrators on the failure or refusal of a party to do so. Procedure for the enforcement of arbitration *contracts*, as distinguished from awards, is exclusively statutory.

AGAIN ABOUT PICTURES THAT WILL NOT BE MADE

In the March 16 issue of HARRISON'S REPORTS I stated in the article "PICTURES THAT WILL NOT BE MADE" that a producer-distributor cannot be made liable if he should be unable to make a number of pictures he sold because of Clause 16; and consequently that you have no remedy because of the fact that several producer-distributors have decided to drop from their production plans a certain number of pictures they have sold to you.

In his recent visit to this city to attend the Government case against the producers and distribu-

tors, Mr. M. A. Cole, President of M. P. T. O. of Texas, stated to me that in his opinion a producer could not drop a number of pictures from his program at pleasure, stating that the relieving of a distributor from any blame for failure to produce pictures is only for causes enumerated in Clause 16.

After making a closer study of this clause, I have been convinced that Mr. Cole is right, and that the producers have no right to drop pictures at will any more than the exhibitor has the right to say to the distributor: "I cannot use all the pictures I bought from you and therefore I am going to drop fifteen of them."

I believe that those of exhibitors that have been notified by distributors that the pictures they bought from them will not be delivered in full, have cause for action before the board. Those whose prices were allocated afterwards, in particular, have a strong case. These can demand that the average price per picture be deducted from the total amount they agreed to pay. In other words, if they agreed to pay, say, \$3,000 for thirty pictures, three hundred dollars should be deducted for each picture dropped instead of the price that was allocated by the exchange.

Paramount and Metro-Goldwyn are two of the concerns that have dropped pictures. Fox is another; he promised seven Rex Bell pictures and has delivered only one. He will not make the others. There is no excuse for this action of his, for he is using Rex Bell in other productions. Many small exhibitors bought the Fox program because of these Westerns. If they don't get them, they don't get a fair deal. They are entitled to a readjustment of their contracts.

COURT OF SPECIAL SESSIONS OF THE CITY OF NEW YORK

Chambers of
Daniel Drenzo,
Justice.

New York,
March 22, 1929.

Peter S. Harrison,
1440 Broadway,
New York City.

My dear Mr. Harrison:

The other night I saw "The Singing Fool"—Many thanks—I enjoyed it immensely. Have changed my mind about the future success of the talking movies. Am frank to say it is just wonderful.

Again many thanks and with best wishes for your health and happiness, believe me,

Very sincerely yours,

DANIEL DIRENZO.

(Editor's Note—Judge Drenzo had seen some poor talking pictures and was so displeased with them that he thought there was no future to them. I urged him to see "The Singing Fool." He has a different opinion of them now. This proves that the producers must make good talking pictures if they should want a bright future for talking pictures.)

NEW SUBSCRIPTION RATES

On April 1 the price of the subscription to Harrison's Reports to all subscribers was made fifteen dollars a year.

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No. 15

MISCELLANEOUS 1928-29 SUBSTITUTIONS

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Columbia

From "The Scarlet Lady," which was released on August 1, 1928 (the first picture on the 1928-29 group), to "The Lone Wolf's Daughter," there have not been any substitutions.

"BEHIND CLOSED DOORS" (February 24 release): This picture was to have been founded on a story by Willard Mack; but the finished product has been founded on a story by Lillian Ducey and H. Milner Kitchin. It is a story substitution and you are not obligated to accept it.

"THE YOUNGER GENERATION": Not a substitution.

"TRIAL MARRIAGE": Not a substitution.

"THE ETERNAL WOMAN": "The Wild Cat" was the original title of this picture; but not enough facts were given in the early literature to enable one to determine whether it is or it is not a substitution. You have to take it.

"THE QUITTER": The contract title of this picture is supposed to be "Spice of Life"; but according to the Work Sheet, "Spice of Life" was to be a story that would show "the ends to which a man went to find a great consuming passion—and how he found it," whereas the finished product deals with a drug fiend and with his regeneration. It is a theme substitution and you are not obligated to accept it.

First National

"ADORATION" (489): "Pleasure Bound" was the original title of this picture. Some of the early contracts had it as "The 30th Day of October." But as no facts were given either in the Work Sheet or in the Annual Announcement, one cannot say whether it is or it is not a substitution.

"SCARLET SEAS" (484): "Mutiny" was the original title of this picture. It is not a substitution.

"HIS CAPTIVE WOMAN" (553): "The Changeling" was the original title of this one. Not a substitution.

"CHILDREN OF THE RITZ" (497): Not a substitution.

"LOVE AND THE DEVIL" (492): "Captain of the Strong" was the original title of this one. No facts were given to help one determine whether it is or it is not a substitution.

"WHY BE GOOD" (522): Sold as a star picture. Not a substitution.

"SATURDAY'S CHILDREN" (480): Not a substitution.

"HOT STUFF" (503): "Bluffers" was the original title of this picture. It is not a substitution.

Future releases will be analyzed in the reviews.

Metro-Goldwyn-Mayer

I have been asked by several exhibitors to inform them whether "The Trial of Mary Dugan" is or is not one of their Norma Shearer pictures.

Technically it is not, for it is one of the 1929-30 releases; but morally it is, for this reason: Metro-Goldwyn-Mayer sold in the 1928-29 season three Norma Shearer pictures, 924, 925, and 926. So far they have not delivered any. "Lady of Chance" (826) is not a 1928-29 release; it is one of the Norma Shearer pictures (No. 3) that were undelivered in the 1927-28 season. In other words, they sold you three Norma Shearers and before they delivered them they took your star, your "property," and used it for some other purpose, depriving you of your rights. It is an injustice, a moral violation of the contract.

"TIDE OF EMPIRE" (909): Some contracts contained "Mother and Sons" in the space on the same line with No. 909. The Work Sheet described "Mother and Sons" as a story similar to "Humoresque." "Tide of the Empire" is an old California story in which the heroine is

an aristocratic Spaniard. Those who bought "Mother and Sons" are not obligated to accept "Tide of Empire," because it is a theme substitution.

"BRIDGE OF SAN LUIS REY" (906): Some contracts contain "A Free Soul" with No. 906. Those whose contracts contain "A Free Soul" are not obligated to accept "Bridge of San Luis Rey," for the reason that "A Free Soul" was to have been founded on the *Cosmopolitan Magazine* story of the same name by Adele Rogers St. John, whereas "Bridge of San Luis Rey" has been founded, according to an old Work Sheet, on the novel by Thornton Wilder.

"THE VOICE OF THE CITY" (908): "Breakers Ahead" is supposed to have been the original title of this picture, but it is not the same story, for the reason that the story "Breakers Ahead" was to have been written by Fanny Hurst, whereas that of "The Voice of the City" has been written by Willard Mack. It is a story substitution. You are not obliged to accept it.

There is no other M-G-M substitution up to and including "A Man's Man," released May 25.

Paramount

"THE SHOPWORN ANGEL" (2875): The same as "The Hard-Boiled Angel." Not a substitution.

"THE CASE OF LENA SMITH" (2869): Not a substitution.

"BETRAYAL" (2860): The original title of this picture is supposed to have been "Ellis Island," but it is not the same theme, for the reason that "Ellis Island" was to be, according to the Paramount 1928-29 Announcement, an immigrant story, "A piece of human driftwood on the mighty immigrant tide that surges through the Portal of Opportunity . . ." whereas "Betrayal" is a picture whose action unfolds in the Swiss Alps.

Of the group announced and sold for the 1928-29 season, sixteen of them will not be made. Instead, Paramount has decided to make ten all-talk features with no silent versions. These are the following: "Innocents of Paris," "The Night Club" (which makes one show with "Pusher-In-The-Face"), "The Doctor's Secret," "The Dummy," "Hole in the Wall," "Nothing But the Truth," "Studio Murder," "Gentlemen of the Press," "The Woman Who Needed Killing," and "Close Harmony."

Pathe

"Man-Made Women," "Craig's Wife," "Power," "Celebrity," "Captain Swagger," "Show Folks," and "Forbidden Love" are not substitutions.

"MARKED MONEY": This picture was to have been founded on a story by Bertram Milhauser. The finished product, however, has been founded on a story by Howard J. Green. There has been also a star substitution in that Alan Hale was promised with Junior Coghlan and Tom Kennedy has been delivered. But because it has turned out to be a good melodrama no exhibitor has been hurt by the story and the star substitution.

"SAL OF SINGAPORE": Not a substitution.

"ANNAPOLIS" (9514): This picture was sold as an original story by F. McGrew Willis; but the finished product has been founded on a story by Royal S. Pease. It is a story substitution.

"LOVE OVER NIGHT": Not a substitution.

"NED McCOBB'S DAUGHTER": Not a substitution.

"THE SHADY LADY": The Work Sheet stated that Leonard Praskins was to be the author of this story, and was to have been a "high-class well dressed drama of New York society." The finished product, however, has been founded on a story by Jack Jungmeyer, and its action un-

(Continued on last page)

"The Shakedown" (PTF)—with James Murray, Barbara Kent and Jackie Hanlon

(Universal, March 10; syn. 6,643 ft.; sil. 6,753 ft.)

For appeal to the emotions with the exception of "The Singing Fool" few pictures of this year's product can equal it. It deals with a band of crooks, among whom is the hero, who use a fight racket to fleece people. They send a man (the hero) in a town to get acquainted first. After a while the gang comes into town, announcing the arrival of a famous fighter, and offering one thousand dollars to any one who would stand up four rounds with the fighter. The friends of the hero, who had by this time made a name for himself as an amateur fighter, urge him to accept the challenge, betting on him heavily. The hero naturally allows himself to be knocked down before the four rounds are over, and those who had bet on him lose money. But the hero accidentally saves the life of a homeless boy and the boy is so grateful to him that he will not leave him; he wants to live with his hero. The hero learns to like the boy and soon becomes attached to him. The boy had a habit of fighting with every boy in the town and the hero makes him promise that he will not fight again. The next day, however, the boy returns with a black eye and because he would not tell him the cause of the fight the hero strikes him. The heroine enters and tells the hero that he should not have struck the boy because he had fought for him; a strange boy had stated that he (the hero) was a faker and he had beat him up. The hero, realizing what a cad he had been, breaks down and tells the heroine that, because it is true that he is a faker, he will never again be able to face her and his little friend. The heroine is shocked when she hears of the confession. The hero wants to run away from the town so as not to fight, because he knew he had no chance; he told his confederates that he is through with the racket. But the little fellow, who worshipped him, shames him into going through with the fight. He wins, the fight and the heroine.

The scenes where the heroine tells the hero the cause of the little boy's fight are powerfully pathetic. So are those where the youngster tries to shame the hero with going through with the fight.

The story was written by Charles A. Logue. It was directed by William Wyler. The dialogue, which occurs in three or four important situations, is very good. The acting is very good, too. George Kotsonaros, Wheeler Oakman, and Harry Gribbon are in the cast.

Although a crook play, the moral it conveys is a good one; children will learn steadfastness of characters from it, and manliness. The willingness of the little boy to receive a beating rather than tell the cause of the fight is inspiring.

"It Can Be Done" (PTF)—with Glen Tyron

(Universal; Mar. 24; syn. 6,560 ft.; sil. 6,090 ft.)

A nice little comedy drama; the first part is narrative and shows the hero, losing his job because of his having an inferior complex. But he is also shown succeeding in overcoming his handicap and putting himself over in business and winning the love of the heroine.

The last half is more or less slapstick with the hero and his former boss chasing in and out of hotel rooms minus their trousers, which had become stolen. There are not many big laughs. The convention scene with the hero speaking eloquently and selling the book, which the heroine's father had written and given to the hero, believing that he was a publisher, is mildly amusing.

Fred Newmeyer directed it from a story by Mann Page and Edward Montagne. Sue Carol is an attractive heroine. Richard Carlyle, Jack Egan and Tom O'Brien are in the cast also.

"Children of the Ritz" (SF)—with Dorothy Mackaill and Jack Mulhall

(First Nat.; Feb. 17; syn. 6,565 ft.; sil. 6,287 ft.)

Only fair. Miss Mackaill is excellent and Mr. Mulhall does good enough work but the story is too trite. It should appeal mostly to woman because of the beautiful clothes worn by the star and also on account of its romantic theme. There are night club scenes which are entertaining because of the synchronization.

The story revolves around a beautiful society girl who falls in love with the family's good looking chauffeur. After he has won a large sum of money as a result of a longshot bet on a racehorse, they marry, in spite of the fact that the heroine's father had lost all his wealth as well as his health. Her extravagance soon leads to bitter quarrels and her

husband finally leaves her, secretly operating a taxicab to earn enough money to keep her in the style she was accustomed. When the heroine learns of it, she realizes that he was doing it because he still loved her very much and she finally makes him take her back, promising to economize and become a thrifty housewife.

The picture, which was directed by John Francis Dillon, is based on the prize winning "College Humor" magazine story by Cornell Woolrich. Others in the cast are James Ford, Richard Carlyle, Eddie Burns, Lee Moran, Kathryn McGuire and Aggie Herring.

"The Leatherneck" (PTF)—with William Boyd

(Pathe, March 24; sil. 6,898 ft.; sym. 6,965 ft.)

Very good. It is manifest that it was first made as a silent, and then rearranged and talking sequences inserted in it. But it has been done well. There is much human interest in the picture, in that it shows friends sticking together and fighting for one another. The action unfolds in China, the principal characters being three American Marines, and one Russian girl. The time is immediately after the revolution in Russia. The motive of the story is the efforts of the hero to find the girl he had fallen in love with and married; she had been abducted by the villain. The hero's two friends, when they found out that the villain was the head of a potash mining concern, go to that place with the object of finding and rescuing the heroine and of punishing him. In the development of the plot, it is shown that when the two friends had failed to return the hero learns where they had gone and goes to find them. He finds one of his friends tied to a cross and the other shot and dangerously wounded; The wounded friend had shot the villain and killed him. The hero takes his two friends to return. One of them dies on the way.

The story is told in flashbacks, the main action being the court martialing of the hero for desertion and for the death of his comrade. His captain believes in his story but the courtmartial does not believe it and condemns him to death. Just before the trial was over, however, the heroine is accidentally seen by the demented friend; his mind returns to him and he calls out her name. The heroine is brought to the courtmartial room and the hero is freed as a result of her testimony.

Elliot Clawson is the author; Howard Higgin the director. Robert Armstrong and Alan Hale are the hero's two chums, Diane Ellis the heroine, and Fred Kohler the villain. Mitchell Lewis, Joe Girard, Jules Cowles, Wade Boteler, Philo McCullough and others are in the cast.

"Ships in the Night"—with Jacqueline Logan

(Rayart, Dec.; 5,940 ft.; 69 to 84 min.)

A tale of the ships that carry pirates and criminals as they plough their way through the tropical seas; it is full of thrills and melodramatic situations, the kind that appeal particularly to neighborhood audiences. And the good work done by several members of the cast adds to its interest, even though the story is far-fetched and incredible.

Jacqueline Logan is a pleasing heroine and has an exciting time keeping out of trouble with the pirates and murderers, in whose clutches she falls frequently in her efforts to locate her brother (hero), who had run away to escape the punishment he expected for believing he had committed a murder while drunk and playing cards. Arthur Rankin is good as the hero, but the many villains are even better; Sojin (who wanted the heroine), the cruel ruler of the derelict island where her brother had gone, is one; J. P. McGowan, a pirate captain, whom the heroine promised to marry if her brother was freed, is another. Comedy is contributed by Andy Clyde.

Duke Worne, director of many blood-curdling sea melodramas, directed this one in his usual style, from a story by Frederick L. Nebel.

"Trial Marriage"—with Norman Kerry and Sally Eilers

(Columbia; Mar. 10; 6,639 ft.; 77 to 94 min.)

A good program picture. It is a domestic drama, well directed and acted, and holds the spectator's interest throughout. Based on the Saturday Evening Post story by Elizabeth Alexander, it tells the story of the modern jazz-loving girl who, despite her wild parties and fast living, settles down to a domestic life when she finds the man she loves. Sally Eilers is a very good and appealing heroine. Thelma Todd, as her cousin and rival, is good. Norman Kerry (hero) and Jason Robards are likeable.

"Wild Orchids" (S)—with Greta Garbo

(M-G-M, Feb. 23; syn. 9,235 ft.; 1 hr. 43 min.)

Extremely well produced by also extremely tiresome. The material was not, in fact, such as to make a picture of feature length. It is about a young woman, who marries an old man, and who was thrown in the company of a young man. The young man sets his thoughts to possess her, but she was too true to her husband. Every time she hinted at him that she did not want to be in the company of the young man, the old husband did not see any harm in it until he finally woke up; he suspected her of indiscretion, and planned a horrible death for the young man. But he eventually became convinced of his wife's fidelity to him.

The horrible death the hero contemplated for the young man was this: They were on a tiger hunt. If they had come upon the tiger, he was to let the tiger spring on the young man and tear him to pieces, he then would shoot the tiger, making it appear as an unavoidable end. The plan is carried out; the tiger springs on the young villain, a Javan prince, but the shots of the hero had killed the tiger before the animal had a chance to tear the young man to pieces.

The story was written by John Colton, and was directed by Sidney Franklin. Most of the action unfolds in a forest at Java. The principal characters are one Englishman (Lewis Stone), one English woman (Greta Garbo), and one Javanese, a prince (Nils Asther). The direction, acting, sets are of high standard.

Not a picture for children.

"Black Waters" (ATFDN)—with Mary Brian

(World Wide, 7,322 ft.; 81½ min.)

Though the direction and acting are very good and the sound recording is pretty good, "Black Waters" is too gruesome to be an entertainment for the masses. There is not a single sympathetic character in the cast, for the reason that none is shown that would arouse the spectator's sympathetic interest in his fate. Mr. Kirkwood does, indeed, do good work, but his part is villainous and therefore the effect of his good acting is lost.

The plot has been founded on John Willard's stage play, "Fog," and deals with efforts of the heroine to find out who her father is. To this end, she willingly obeys the instructions in a mysterious letter to go to a certain ship, where she finds other persons, drawn there by the villain's trickery, and where queer things happen. Several persons, for example, disappear, being killed with poison darts shot at them by a savage, in the employ of the villain. Eventually the masquerading villain is detected. He, too, is killed by a poison dart, shot at him by the savage. Before his death, however, he reveals to the heroine the secret of her parentage.

"The Eternal Woman"—with Olive Borden and Ralph Graves

(Columbia; Mar. 18; 5,812 ft.; 67 to 83 min.)

A weakness in plot construction makes a very well acted and artistically photographed picture only fair. It has fast action, suspense and a thrilling shipwreck, around which is built a love story. The heroine, a rather intelligent girl, arrives at her father's inn and learns that the villain had seduced her sister, and when the girl had told her father he had a fight with the villain. But the villain killed him. A woman, whom the heroine had met on the way home, had come to the inn seeking the villain, calling him by name. And the spectator knows that the affair must have been going on for a time. Yet when the heroine meets the villain later at the hero's home, hearing his name, she is not a bit curious about him.

The story revolves around the efforts of the heroine to avenge her sister and father.

John McCarthy directed it from Wellyn Totman's story.

"The Great Power" (AT)

This Metro picture was booked at the Capitol, an M-G-M house, but after a day's showing was pulled off. I did not have a chance to review it. I have heard that it is a poor picture. I shall review it as soon as it is shown in a theatre.

The Meaning of the Sound Symbols

(S), "Synchronized with Music"; (PT), "Part Talk"; (AT), "All Talk"; (D), "Sound on Disc"; (F), "Sound on Film"; (DF), "Sound on Both Disc and Film"; (N), "No Silent Version." (ATFDN), for example, means that the characters talk all the way through, that the sound has been recorded on both disc and film, and that there is no silent version.

"Coquette" (ATDN)—with Mary Pickford

(United Artists, April 5; 6,767 ft.; 75 min.)

It is truly a marvellous piece of work; Miss Pickford does the best dramatic acting in her career. But I venture to say that the picture will not be very successful. It is too morbid; after seeing the picture one is made to feel as if one had attended ten funerals on the same day. The father of the heroine shoots and kills the hero, whom his daughter loved with all her heart; he felt that, by taking his daughter into his mother's cabin and being there alone with her, he had compromised her and so had disgraced her and the family, and therefore to his infuriated mind there was no other course for him but to kill the hero. The hero's protest that they had committed no indiscretion and that he was willing to marry her was impotent to soothe the wrathful father.

Another death occurs toward the end, during the trial for murder of the hero's father. The counsel for the defense tells the heroine that, if her father's life is to be saved, she has to take the stand and tell the jury that the hero had wronged her while in the cabin. The heroine does so. The father is shocked and, realizing what sacrifice his daughter had done, tells the jury that she was giving a false testimony only to save his life. He then grabs his gun, which was used as an exhibit, and shoots himself.

These sights are not pleasant. Nor is it pleasant to see the gentle daughter of a gentle Southerner be put into a position where she refuses to go to the aid of her father, who was on trial for his life, saying that she did not care if he hanged. The fact that she relents later and makes a great sacrifice is impotent to erase the first feeling.

The plot has been constructed well. The recording of the sound has been done pretty well. Miss Pickford fills the part of a young girl as would a girl still in her teens. The direction is masterly. But the picture is not an entertainment.

The play by George Abbott and Ann Preston has furnished the plot. Sam Taylor has directed it. John Mack Brown takes the part of the hero; John St. Polis that of the father.

"Syncopation" (ATFD)—with Barbara Bennett and Bobby Watson

(RKO, rel. date not yet set; 7,626 ft.; 84½ min.)

An excellent musical comedy. It is on the order of "Broadway Melody," only its story is not as appealing. In "Broadway Melody" the heroine does a bit of sacrificing in her effort to make her elder sister happy; she pretended to be a wild girl, her object being to prevent the hero from making love to her because he was engaged to her sister and she did not want to break her sister's heart. In "Syncopation" the wife, after reaching Broadway and making a success, decides to leave her husband, who had been also her partner in the dancing team. Yet, because it is the kind of picture in which music, dancing and singing are the main features, it does not suffer by the shortage of human interest as it would have suffered if it were straight drama. The music is enchanting, the singing and dancing are good, the light effects add richness to the picture.

Gene Markey's novel "Stepping High" suggested the plot. Bert Glennon directed it. Ian Hunter, Morton Downey, Osgood Perkins, MacKenzie Ward, Veree Teasdale, and Dorothy Lee are in the cast. The recording of the sound has been done with the RCA Photophone system and is excellent. The sound will be transferred also on the disc so that those that have no film attachment will be able to show it. RKO intends to make also a silent version of it.

Those who have a talking picture instrument installed cannot afford to overlook this one. It is the kind that add prestige to one's house besides bringing customers.

"Christina" (SF)—with Janet Gaynor

(Fox, rel. date not yet set; 6,965 ft.; 77 min.)

As a two-dollar picture for the big towns, it is an imposition upon the public. And it is not a picture for the small towns, for the reason that the main action shows an elderly woman become so infatuated with the young hero that, when he repeatedly repulses her advances, she first has him arrested for embezzlement, and when this trick fails she shoots him. There is not an inspiring thought in the picture. Even the love affair between Janet Gaynor and Charles Morton is colorless.

The action of the story, which has been written by Tris-tan Tupper, unfolds in Holland. William K. Howard directed it. Rudolph Schildkraut, Harry Cording, Lucy Lorraine and others are in the cast.

folds in Cuba, the story dealing chiefly with bootleggers. It is a story substitution and you are not obligated to accept it.

"THE SPIELER": As said in the footnote in the review, this is a story substitution and you are not obligated to accept it. Elliott Clawson was to have been the author, but Hal Conklin wrote it.

"GERALDINE": Marion Nixon has been substituted for Jeanette Loff, but the substitution is not detrimental to the exhibitor's interests.

"SIN TOWN": Not a substitution.

"NOISY NEIGHBORS": This picture was to have been founded on a story by George Drumgold and Sanford Hewitt. But the finished product is being delivered with a story written by F. Hugh Herbert. It is a story substitution and you are not obligated to accept it.

"THE OFFICE SCANDAL": Not a substitution.

"THE LEATHERNECK": Not a substitution.

"SQUARE SHOULDERS": According to the Work Sheet, this was to be a story of a boy's life in a military academy, by Beulah Marie Dix. The story of the finished product, however, through still the life of a boy in a military academy, has been written by Peggy Prior and George Drumgold. It is an author substitution and you are not obligated to accept it.

Rayart

"The Divine Sinner," "Man From Headquarters," "Sweet Sixteen," "Sisters of Eve," and "The City of Purple Dreams" are not substitutions.

"ISLE OF LOST MEN" (October release): The picture sold was to have been founded on Frederick L. Nebel's novel; the finished product has been founded on the story by George W. Pyper. It is a story substitution and therefore you are not obligated to accept it.

"SHOULD A GIRL MARRY?" (Nov. rel.): Not a substitution.

"SHIPS OF THE NIGHT" (Dec. rel.): The picture sold was to have been founded on the story by George W. Pyper; the finished product has been founded on the story by Frederick L. Nebel. It is a story substitution; therefore you are not obligated to accept it.

"THE BLACK PEARL" (Jan. rel.): Not a substitution.

"WHEN DREAMS COME TRUE" (Jan. rel.): Not a substitution.

"BROTHERS" (Feb. rel.): The picture sold was to have been founded on the story by Leota Morgan; the finished product has been founded on a story by Ford L. Beebe and Arthur Hoerl. It is a story substitution; therefore you are not obligated to accept it.

"SOME MOTHER'S BOY" (Feb. rel.): No facts were given in the Annual Announcement or in other literature; therefore one cannot say whether this picture is or is not a substitution. You have to take it.

"SHANGHAI ROSE" (March rel.): Not a substitution.

"THE DEVIL'S CHAPLAIN" (March rel.): Not a substitution.

"TWO SISTERS" (April rel.): Not a substitution.

"ANN AGAINST THE WORLD" (April rel.): Not a substitution.

R. K. O. (FBO)

R. K. O. has had no worth-while substitutions this year. Most of their pictures were sold without any stories or authors.

Tiffany-Stahl

"The Toilers," "The Naughty Duchess," "The Power of Silence," "The Cavalier," "The Floating College," "The Gun Runners," "Marriage by Contract," "Tropical Nights," and "The Man in Hobbles" are not substitutions.

"BROADWAY FEVER" (Jan. 1 rel.): The original title of this picture is supposed to have been "Applause," but it is not the same picture, for the reason that "Applause" was to have been founded on the story "Put and Take," by Edmund Goulding, whereas "Broadway Fever" has been founded on the story by Viola Brothers Shore. It is a story substitution and you are not obligated to accept it.

"LUCKY BOY": This is the same picture as "Ghetto," which Tiffany-Stahl at first was inclined to withhold from those exhibitors that hold a contract for "Ghetto," but which they are now delivering to them as a result of the strong campaign this paper has carried to rescue it for those that have "Ghetto" under contract. For further details read the article, "TIFFANY-STAHLE AND 'LUCKY BOY,'" published in the issue of February 9; "AGAIN ABOUT

"LUCKY BOY," printed in the issue of March 16; and "THE CASE OF 'LUCKY BOY,'" printed in the issue of March 23.

"THE SPIRIT OF YOUTH" (Feb. 10 rel.): This picture was to have been founded on the story, "Ramsey Milholland," by Booth Tarkington; but the finished product has been founded on the story by Eve Unsell and Elmer Harris. It is a story substitution and you are not obligated to accept it.

"THE RAINBOW": Not a substitution.

"THE DEVIL'S APPLE TREE": No facts were given to enable one to determine whether it is a substitution or not. You have to take it.

"MOLLY AND ME": In the feature release schedule of this company, printed in the Blue Section, its original title was given as "Reputation." This information was given to this paper by an exhibitor, who in turn was so informed by the exchange of his territory. The exchange was wrong. At one time I thought that it was "Queen of Burlesque," because its theme is similar to that of "Molly and Me." But it is not, for I have been informed on good authority that the story is entirely different. But here is where the injustice comes in: Tiffany-Stahl sold you three Belle Bennett pictures, and before finishing them and delivering them, they made "Molly and Me," with Belle Bennett, outside the contract. In other words, they have used your property (the star) for making a picture outside your contract. Some steps should be taken to make such an abuse impossible.

United Artists

Because of the policy of this company by which it sells its pictures after they are completed or at least after they know what they have, it has had no substitutions.

Universal

Because of the fact that Universal had over thirty pictures ready when it started selling its 1928-29 product, it has had no substitutions up to and including the release of April 14.

"SCANDAL" (April 21): Originally this picture was called "Dangerous Dimples," which later was called "The Haunted Lady." But as no facts were given with "Dangerous Dimples" or "The Haunted Lady" one cannot tell whether it is a substitution or not.

Warner Bros. Pictures

Because Warner Bros. sold their pictures this year without any facts, they cannot be pinned down to any substitutions. You have to take all their pictures.

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACT OF CONGRESS OF AUGUST 24, 1912, OF HARRISON'S REPORTS, published Weekly at New York, N. Y., for April 1, 1929.

County of New York.

State of New York.

Before me, a Notary Public, in and for the State and County aforesaid, personally appeared P. S. Harrison, who, having been duly sworn according to law, deposes and says that he is the Editor and Publisher of the HARRISON'S REPORTS and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, embodied in section 443, Postal Laws and Regulations, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business manager, are:
Name of Publisher, P. S. Harrison, 1440 Broadway, New York, N. Y.

Name of Editor, P. S. Harrison, 1440 Broadway, New York, N. Y.

Managing Editor, None.

Business Manager, None.

2. That the owners are: P. S. Harrison, 1440 Broadway, New York, N. Y.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent. or more of total amount of bonds, mortgages, or other securities are: None.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustee, hold stock and securities in a capacity other than that of bona fide owners; and this affiant has not reason to believe that any other person, association, or corporation, has any interest directly or indirectly in the said stock, bonds, or other securities than as so stated by him.

(Signed) P. S. HARRISON,

(Owner).

Sworn to and subscribed before me the 30th day of March, 1929.

HERMAN H. WILKENLOH, JR.

(My commission expires March 30, 1929.)

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SOUND THOUGHTS

Western Electric vs. RCA Device

"Which is the better instrument, the Western Electric or the RCA Photophone?" is the question that is still being asked of me by exhibitors almost daily.

I was under the impression that, after the fourteen articles that I wrote on the subject, every exhibitor knew which of the two instruments I thought the better. It seems however, as if I have not yet been understood clearly by all; therefore it is necessary, if I am to spare other exhibitors and myself from unnecessary correspondence, that I make myself so clear that no one will fail to understand me.

If I owned a theatre and I decided to install an instrument from one of the two major concerns, and Western Electric offered me a free installation and RCA demanded the full price, I would install the RCA Photophone, for this reason: The permanent success of talking pictures will depend, in the main, on the tone quality of the talking picture instruments. While one can get away with an instrument that gives mediocre or even fair tone quality for a while, the public will eventually become educated to distinguish between good and bad tone qualities and the business will suffer. And in my opinion an instrument that is fitted with horn sound projectors cannot give a good tone quality, not at least at all times. In my sound articles Nos. 1 and 7, I said that the horn is subject to undesirable resonances; when the pitch of the note happens to be of the same frequency as one of the pitches in the air column in the horn, the air is set to vibrating, reinforcing that particular note. Impairment of harmony is the result. If you intend to visit New York City shortly, go to see "The Divine Lady" at the Warner Theatre; you will notice that resonances occur in two different places in the middle register or thereabouts, about three or four notes apart. These resonances are too pronounced to be missed even by an untrained ear. I have yet to hear, in fact, music reproduced by a horn that is free from such a defect. Another statement I made in those articles was to the effect that in the low frequency region often the diaphragm rattles. Go to see "Coquette," now playing at the Rivoli, this city, and you will not fail to notice a rattle. I also said that horns have directional properties. Go to the Roxy, this city, and you will notice it, if you will take several positions, in the balcony as well as in the orchestra; you will find that the sound is loud when you stand in the path of the beam and weak when you stand away from it.

To answer the question of these exhibitors with finality, let us call Western Electric itself as a witness: The Graybar Electric Company, which sells radios, is a subsidiary of Western Electric; all its radio sets are equipped with cones, a fact which is a tacit admission on the part of Western Electric that the cone system of sound projection is better than the horn system. We in this industry should, therefore, follow the example of Western Electric in the radio industry and drop the horns.

For the last nine months I have been making a study of talking picture instruments, as you well know, so as to place myself in a position to render you a better service. Every time I go to see a picture and hear the talk of the characters, or the music, I pay close attention, not only to the story values, but also to the tone quality. My chief object is so to advise you as to save you from investing money in a mediocre instrument first, and afterwards from being compelled to invest additional money in a first class instrument, as will eventually be the case with those that have installed an instrument that is fitted with horn sound projectors. It is true that the public does not know the difference in tone quality just now, but it is fast becoming educated and will soon be in a position to know, particu-

larly if the two major instruments are installed in two different theatres in the same locality. There is such a case on record, in New Rochelle, this state, where there is a Loew and a Proctor (RKO) theatre; the Loew Theatre has naturally a Western Electric instrument, and the Proctor Theatre a Photophone. People that have visited both theatres have noticed how far superior is the tone quality at the Proctor. They do not know what kind of instrument each of the theatres has, but they know which instrument gives a better tone quality, because they have had an opportunity to make a comparison. Personally I feel that if I had an instrument that was fitted with horn sound projectors and my competitor had an instrument that was fitted with dynamic cone sound projectors, I would consider it a calamity if I could not discard the horns to install cones.

But, you will say, why so big a concern as Western Electric does not drop the horns and adopt the cones, if the cones are better?

I don't know the exact reasons; I can only conjecture them: It must be a reluctance, through false pride, perhaps, first, to admit that they are wrong, and secondly to bear the cost of the change. If they were to adopt the cone system they would have, if they were to be fair to those that have installed one of their instruments, to supply them with a cone sound projection system free of charge. And this would prove too expensive for them and not so easily borne by them, a concern that charges \$200,000 for a pair of recorders for which RCA charges one-tenth of that amount, or \$20,000.

But whether they like to make the change or not, sooner or later they will, in my opinion, be compelled to drop the horns in favor of the cones. Western Electric cannot stop progress, no matter how big and how wealthy a concern it may be. And HARRISON'S REPORTS will not cease its war on the horns until they are discarded.

I hope that after these unmistakable expressions of mine, no exhibitor will again have occasion to write me asking me which of the two instruments, the Western Electric or the RCA Photophone, is the better.

Fox Announces Sound on Disc

Fox Film Corporation has announced that it will now record sound also on disc. It is a fine decision for the present, but—

As I said in the first and seventh articles of "Facts About Talking Pictures and Instruments," the variable density (Movietone) system of recording sound, such as is used by Fox, is not a good one for the reason that any defects on the emulsion on the sound track will affect the tone quality. Such defects may be in the manufacture of the stock or may occur in the development of the negative or of the positive. And nine out of ten talking pictures that have so far been produced by Fox have had such defects. Now, the disc method of recording sound is not the best, for reasons adequately explained in those articles. When the Fox Film Corporation, then, transfers the sound from the film on the disc, it will contend, not only with the inherent defects of the disc, but also with those of the film, for any defect on the sound track will be naturally transferred on the record. And the reproduction of sound from such records will be very poor.

The variable width (Photophone) system of recording is, as I have already explained, far superior to the variable density system, because, in such a system the light goes through transparent film, the amount being regulated by the width of the "ridges." The dark part of the sound track does not allow any light to go through. If any defects should occur on that part, they may be painted over with—
(Continued on last page)

"The Hole in the Wall" (ATDN)—with Special Cast

(Paramount, April 27; 5,850 ft.; 65 min.)

Fairly good; not the kind that would remain imprinted on one's memory long after one has seen the picture and heard the characters talk. The action is fairly interesting on the whole, and in some places the spectator is held in pretty tense suspense. But some of the action is not of the pleasant sort. For instance, the heroine is shown as having kidnaped a little girl for the purpose of rearing her as a thief and thus revenging herself upon the child's grandmother, because the grandmother had falsely accused her of a theft and sent her to jail for several years. While the child's grandmother had done the heroine a great injustice, the heroine was not justified in making an innocent child suffer. Of course, the heroine does not go through with her revenge plans, because she becomes attached to the child. But it is a bad thing even to be thought of. There is some human interest in the closing scenes, caused by one of the crooks; he was in love with the heroine and when they are all caught in the police net as a result of the good work of a newspaper reporter (hero), this crook forces the police captain to make a bargain with him whereby the heroine is let free. It was the only way whereby he would disclose the hiding place of the child. This he did so that she might marry the reporter, whom she loved and by whom she was loved since their school days. There is tense suspense in the scenes where the heroine, a fake medium, really goes into a trance and tells of the grave danger to the child. The child's escort, a confederate of the crooks, had accidentally slipped and had drowned, leaving the little child holding onto the ladder steps, in danger of letting go her hold and falling into the water.

Fred Jackson's play furnishes the plot. Robert Florey directed the picture well. The characters talk their lines pretty well. Claudette Colbert, Edward G. Robinson, Nelly Savage, Donald Meek, and others are in the cast.

It is a pretty good entertainment.

"Molly and Me" (PTFD)—with Belle Bennett

(Tiffany-Stahl, March 1; Sym., 8,250 ft.; Sil., 7,476)

Pretty good. It is a story of back stage, in which the heroine (Belle Bennett) is shown paired with her husband (Joe Brown). They eventually reach Broadway, where Joe Brown, as the hero, is starred in their play, in which the theatrical manager provided him with a new partner (Alberta Vaughn). In time the hero falls in love with his new partner. The heroine, not liking the quiet life, signs a contract and goes on a vaudeville tour. She is still happy at the thought that the hero loves her. But her shock is great when she receives a letter from him asking her for his release; she is heartbroken, and is hardly able to go on with the act. The hero, after writing the letter, finds out that his partner did not love him and that she was engaged to marry another man. The hero quits the theatre and rushes to the heroine, hoping to reach her before she had read his letter. The heroine pretends that she had not yet read it and the hero asks her to tear it up. He joins her in the act and they are again happy together.

Miss Bennett does good acting but her voice registers in this film only fairly. Joe Brown is a good actor but a very homely one. Alberta Vaughn does well. And so does Charles Byer. The story was written by Lois Leeson; it was directed by Albert Ray well.

"The Charlatan" (PTF)—with Special Cast

(Univ.; Sym. 6,097 ft., Apr. 14; Sil., 5,972, Apr. 7)

Pretty good; nothing extraordinary. It is not, in fact, of a much higher than program grade. It is about a band of crooks, posing as Hindus, and able to read the past life of their subjects. The one posing as the Hindu mystic is the hero; he had undertaken it for the purpose of attracting the heroine, who was his ex-wife, but who had run away from him and followed another man, taking their baby daughter along. He hoped to find his daughter and to take her away from her. The heroine calls on him and when he tells her of her past life she is deeply impressed. During a party at the heroine's home, in which the District Attorney is one of the guests, the subject of the Hindu comes up. The District Attorney disbelieves the hero's mystic powers and informs his guests that his office is investigating him with a view to arresting him. The hero is invited at the heroine's home to exhibit his powers. He brings along his "disappearing" cabinet. By agreement, the hero-

ine is chosen as the first subject; the hero was to make her disappear in the cabinet, and then bring her out again. The act is performed, but the heroine does not come out when the hero claps his hands. Soon she is found dead behind the partition. A doctor guest examines her and informs the district attorney that she is dead, killed by a deadly poison, a scratch having been made by a poisoned needle on her shoulder. The hero is about to be arrested as the murderer, but at a signal his men turn out the lights, and bind and gag the District Attorneys. The hero then makes up as the District Attorney and is able by cross examination to discover the murderer. It comes to light that it was the man the heroine had run away with that had killed her; he had found out that she was ready to run away with the doctor. The hero is reunited with his daughter.

The plot has been founded on the old stage play by Ernest Pascal and Leonard Praskins. George Melford directed it. The talk is pretty clear in the scenes where it occurs. Margaret Livingston, Rockcliffe Fellows, Holmes Herbert, Fred Mackaye, and others are in the cast.

"Through Different Eyes" (ATFN)—with Mary Duncan, Edmund Lowe and Warner Baxter

(Fox, April 7; 4,991 ft.; 55½ min.)

This is not a drama; it is a proposition which the author advances and then proceeds to prove, a thing in which audiences are not likely to be interested. A man, friend of the hero, is found dead in the hero's home. At the trial of the hero, the counsel for the defense paints in vivid colors (through flashbacks) the way by which the love-mad dead man had attempted to induce the heroine to run away with him to Italy, and how he, when the heroine refuses to follow him, shoots and kills himself. The District Attorney, on the other hand, paints the scenes with different colors (also in flashbacks); he states that the heroine, a woman without character, had led the "noble" hero on, and when her jealous husband (hero) had found them together shot and killed his friend out of jealousy. The hero is found guilty of murder in the first degree, but just as the judge was about to pronounce sentence a young girl screams, rushes to the judge, and tells him that it was she that had killed him because he had wronged her and afterwards refused to marry her even though she had given birth to a child. Thus the spectator is told by the Fox Film Corporation that the innocence or guilt of a person accused of a crime depends on circumstances; or, perhaps, that a person may be guilty but some persons may think him as innocent as a canary bird. You may be able to guess the motive that prompted Fox into making this uninteresting picture. I cannot. To me it is all nonsense.

While the picture has been directed and acted well, there are hardly any entertainment values in it. The talk is pretty clear. The play by Milton Gropper and Edna Sherry has furnished the plot. John Blystone directed it.

"Brothers"—with Barbara Bedford, Cornelius Keefe and Arthur Rankin

(Rayart, Feb.; 6,092 ft.; 70 to 86 min.)

A good story, well directed and acted, full of action and suspense. It has also a human interest theme—the love of one brother for another. Arthur Rankin (hero) is good as the younger brother and Cornelius Keefe, the older brother, who became a crook to support the hero, arouses sympathy because when they were children he promised his mother on her deathbed to take care of the little fellow, and he did so to the extent of denying his identity to his brother so that they might never meet and he become aware of the means whereby they lived, Miss Bedford, a member of the gang and a come-on for suckers, is fair. So is Richard Carle, as the lawyer who handled the brothers' affairs.

There are suspenseful scenes in the crooks' home when the detective, seeking the murderer of one of the members of the gang, accuse the two brothers. Hearing his older brother's name, the hero realizes that he is his brother and then both try to take the blame. Late, in the heroine's home, the hero pretends to be in love with her. In this way he is able to learn that it was her boy-friend that had committed the crime. The young man is saved from the chair.

The picture was directed entertainingly by Scott Pembroke from a story by Ford I. Beebe and Arthur Hoerl.

A good program picture.

"The Duke Steps Out" (SF)—with William Haines

(M-G-M, March 16; Syn., 6,236 ft.; Sil., 6,201 ft.)

There are many inconsistencies in this story, but the picture is entertaining on the whole. This time Mr. Haines is not presented as the egotist he has heretofore been presented. But he makes violent love just the same. He sees a beautiful girl (Joan Crawford) and when he finds out that she is a college girl, he enlists in that college so as to be near her. The incidents develop while he is in college, and the complications arise because of the fact that he, although a millionaire's son, had taken to prize fighting so as to prove to his father that he could make a living without his aid. Several comical episodes develop in college wild parties, where the hero is threatened with a black eye by a student who had the reputation of being the best fighter in college. This, of course, makes the other characters, and the spectators, laugh, because they know that the hero is a heavyweight boxer himself. At one time the hero is shown knocking down several roughnecks; this happened at a cabaret on the Canadian side (the college had been placed conveniently near the Canadian border), where the heroine had gone to prove to the hero what a "wild" girl she really was. The misunderstanding between hero and heroine comes about by the interference of another girl, who had made the heroine believe that the hero was engaged to a famous actress, playing in San Francisco; when the hero told the heroine that he had to be in San Francisco on Decoration Day, she was sure then that he was going there to visit his sweetheart. But it comes out in the end that he had gone there to meet a prize fighter in the ring.

The scenes that show the announcer announcing the fight over the radio is done realistically. There is suspense in those scenes, which shift from the ring to the college town in the room where the heroine and other students were gathered to hear the news of the fight over the radio. No other talk is heard. The noise made by the crowds does not add anything to the picture. Lucian Cary wrote the story; James Cruze directed it. Karl Dane contributes considerable comedy.

It should please.

"New Year's Eve" (SF)—with Mary Astor and Charles Morton

(Fox, Feb. 24; Syn., 5,958 ft.; Sil., 5,909 ft.)

Someone in the Fox office got an idea last New Year's to take a picture while the signs blinked and the snow lay on the ground. And from his idea, and an idea based on the magazine story "\$100," by Richard Connell, a "quickie" was turned out.

The picture has elements that should arouse sympathy; the heroine is unable to pay her rent and to raise enough money to buy her sick baby brother presents for Christmas. She finds a wallet belonging to the hero and he gives her a reward of \$100. The money is stolen from her by a sneak thief; and she is dispossessed by her landlady because she thought the heroine had lied to her about having money.

But it has an air of insincerity. Even when the heroine is almost accused of being a murderer when she and the hero are found in the villain's gambling den, where the heroine had gone to get a job as a come-on to raise money, and where the hero had gone to spend his money, still little sympathy is awakened for her.

Miss Astor does as well as her part permits, as does Mr. Morton. Earle Foxe, villain, and Arthur Stone, the sneak-thief, do a little better. Henry Lehman directed it.

"The Trial of Mary Dugan" (ATFDN) with Norma Shearer

(M-G-M, No release date set yet; syn. 10,000 ft.)

The power of the talking picture invention is further demonstrated by its effective use in "The Trial of Mary Dugan;" it is hardly possible to reproduce a picture of its strength without the talk. Ninety-nine per cent. of the action unfolds in a court room, where the sets remain the same. Yet the interest does not sag at any time. This invention proves also that Norma Shearer is a first-rate actress, for she has never done better work in her career. Her voice registers well, and her ability to express emotion is great. There are two or three other players that stand out, being made to do so by the talk; these are: Adrienne D'Ambricourt, who takes the part of the French maid—she makes the District Attorney sit up and take notice; Lilyan Tashman, a chorus girl, who takes the part of a

witness, and Myra Hampton. The answers given by them to the cross examining District Attorney make every one laugh. Raymond Hackett, as the young lawyer, brother of the heroine, has a sympathetic part, and Lewis Stone has a villainous part, for it was he that had murdered the man, and, by forcing himself on the heroine as the counsel for the defense tried to send her to the electric chair so as to hide his crime. H. B. Warner does a good bit of acting as the District Attorney.

The story revolves around a wealthy man, who is found dead in the apartment of the heroine, whom the dead man had supported. A lawyer living next door to her undertakes to defend her at her trial. Her young brother comes from San Francisco to help his sister. When he sees that the counsel for the defense (villain) fails to cross examine the dead man's wife, he protests to the court and asks permission to be appointed counsel for the defense. The villain withdraws from the case. The young brother induces his sister to answer all his questions, even those that concerned her private life, so that, by making a clean breast of everything, she might convince the jury that she had not committed the murder. The young hero eventually brings out the fact that the murder had been committed by the villain, who was on intimate terms with the dead man's wife. The heroine is freed.

The plot has been founded on the stage play by Bayard Veiller; it was directed by the author himself. The recording of the voices is good.

Though not as cheerful a talking picture as "Broadway Melody" and though it may not draw as big crowds, "The Trial of Mary Dugan" is, nevertheless, an outstanding talking picture.

"His Captive Woman" (PTD)—with Milton Sills

(F. Nat.; Syn., 8,905 ft., Apr. 7; Sil., 7,692, Feb. 3)

Pretty good! It was made in the silent first and afterwards it was rearranged with talking sequences. The silent part is told in flashbacks, the talking part being in the foreground. In the talking part the heroine (Dorothy MacKaill) is on trial for murder and the hero (Milton Sills), an honest policeman, who has been sent to the South Seas to bring her back, testifies as to what a changed woman she now is. In the flashbacks, it is shown that the ship on which the hero was bringing back his prisoner is wrecked and the two are washed ashore on an island in the South Seas. While swimming the hero is in danger of being devoured by a shark and the heroine dives and saves him. The hero, seeing that the heroine had risked her life to save his, realizes what a changed woman she now is and allows himself to fall in love with her. She, too, falls in love with him. But because there was no justice of the peace around, nor a minister of the gospel, they become married by vowing to be true to each other by raising their hands heavenward. The hero's story does not impress the jury much, for they find the heroine guilty just the same, but the old good-hearted judge, although he pronounces life imprisonment as the sentence for her, decrees that the place of her imprisonment shall be, not Sing Sing, but their South Sea island.

Donn Byrne's story furnished the plot. George Fitzmaurice directed the picture. Gladden James, Sidney Bracey, George Fawcett, Frank Reicher, and others are in the cast.

UNION CINEMA COMPANY

Nagpur, India,

February 14, 1929

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1440 Broadway,

New York, N. Y., U. S. A.

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Yours faithfully,

UNION CINEMA CO.

N. J. Wayuder, Mgr.

(Editor's Note: Even in far-away India the exhibitors have found out that the American producers' artistic campaign books mean nothing.)

out affecting the sound. Sound transferred on the disc from such a system is nearly as good as the original sound; but not quite as good, for nothing can be as good as the original recording.

Exhibitors that intend to contract for talking pictures with the sound on the disc should insist that the recording should be original, and should so state in the contract. They will then be protected, for any attempt on the part of some producer to furnish them with "duped" sound would be a violation of the contract. If it is to be "duped" sound, the contract should so state. In such an event, the exhibitor must not pay more than seventy-five per cent of the original sound price, if the "duping" is done from Photophone recording, and no more than fifty per cent, if it is done from Movietone recording.

Again About Sound-on-Film vs. Sound-on-Disc

The discussion of sound transferred from the film to the disc brings us back again to the question of the merit of the sound-on-film as against the sound-on-disc system. This prompts me to make some additional observations. There is no comparison between the sound-on-disc and the sound-on-film; the sound-on-film can reproduce sounds that the disc cannot reproduce. Last week I had the good fortune of seeing and hearing a test of the finest piece of recording that has so far been made, the kind that will not be exceeded for some time to come. The recording was made by the Photophone system, and showed Mr. Walter Damrosch, of the Philharmonic Society, striking some notes on the piano. The notes resounded so perfectly that it would be impossible for any one that did not know that it was a film reproduction to distinguish it from the real tone. Not in all the world could wax reproduce such a tone quality.

How Should the Sound-On-Film Be Made to Prevail

There is no question that the film system of sound recording will eventually prevail. But to attempt to enforce it arbitrarily now would lead to disaster, for not many exhibitors are in a financial position to install a film instrument just now, and without the sound-on-disc it would be years before all the exhibitors that can install a talking picture instrument profitably could install a film instrument. The change must come about gradually. First, the smaller exhibitors must be helped to install a disc instrument so that they might be enabled to install a film instrument with the profits they could make.

Every exhibitor must consider this a transition period; he must always have in mind the day when he will install a film instrument. The quicker he does it the better off, not only he, but the entire industry will be, for do not forget that when your competitor has a poor instrument not only he but also you suffer from it; the public does not always remember where they heard a poor tone quality and are apt to condemn talking pictures on the whole. Let the life of the disc not be more than two years.

Warner Bros. the Key to the Situation

The one concern that could bring about the change from disc to film is Warner Bros. As long as Warner Bros. adhere to the disc, the disc will continue to exist. Warner Bros. command the admiration of every right-thinking person in the motion picture industry. No matter what their motive was, by their tenacity they have saved the industry from bankruptcy just the same. This has proved them to be really big men. But they would lose none of their bigness and greatness if they were to adopt the film system now; if anything, they would command greater admiration, and it would bring them greater profits. Let them show us again what sportsmen they are.

The Variable Width Better Than the Variable Density System

If Warner Bros. should decide to adopt the film system of sound recording, this paper hopes that they will not make the mistake of adopting the less efficient of the two systems. The RCA Photophone system is far superior to the Movietone system, and once they decide to make the change let them make the right change. I don't know what difficulties there may be in the way, but I am sure that, whatever these difficulties may be, they are not unsurmountable. On behalf of its thousands of subscriber-exhibitors and of the thousands that are not subscribers but follow its thoughts, HARRISON'S REPORTS urges Warner Bros.

to think seriously of adopting the film method of sound recording. If they should do so, they are sure to have the good will of all the exhibitors.

All Should Adopt the Photophone Sound Track

Since we are talking about our hope that Warner Bros. adopt also the film system of sound recording, and that if they do so they adopt the variable width system, HARRISON'S REPORTS again urges the other producers, too, to consider seriously adopting the variable width system, which has proved the better. By so doing, they will not only save millions of dollars yearly in preventing retakes, which are unavoidable with the variable density system, but also get better results.

Where Should These Suggestions Have Come From?

It is a pity that these suggestions, made to producers, should have come from the exhibitor side. But the mouldiness of the Hays organization has made this necessary. The Hays organization is today an anachronism. They have done nothing beyond installing an arbitration system, and they will do nothing, for they know nothing. There isn't one executive in that organization that knows anything about sound. Any wonder that no suggestions have come from that source? When the industry was topsy turvy as a result of the swooping down on us of the talking picture craze, there was no one to guide the producers; they all rushed like sheep to rally under a sound banner, not knowing what they were doing. The result has been that they have tied up themselves with contracts that may eventually place some of them in an inferior position, if not put them out of business altogether. During that transition period, not a word of advice was given to them by the Hays organization, not a move for the guidance of its members was made. How different would it have been had Mr. Hays taken charge of the situation, engaged engineers to study the problem and to advise him! He was not short of funds; his yearly budget exceeds one million dollars. Instead, his organization has fallen into a rut. With one exception or two, those that surround him now are expert politicians, able to drive away every constructive thought. But not one of them understands the serious problem that now confronts the industry.

The Patent Situation

I have been asked by several exhibitors to advise them whether any of the independent talking picture instruments is free from patent infringements.

It is my opinion that every independent talking picture instrument, whether of the film or of the disc type, or of both types, infringes on some patents owned either by the Western Electric Company, or by the Radio Corporation of America, or by the American Telephone & Telegraph Company, or by some concern allied with them. And this includes, I believe, also Dr. Lee De Forest. Dr. De Forest, to the best of my information, has certain valid patents in the sound recording field, the most important of them being the gas tube, a fact which will, in my opinion, make it pretty tough for Fox, who uses these patents without a license, as I understand. But Dr. De Forest himself may be found infringing on the patents owned by the three concerns just mentioned. The high Vacuum Tube is one of them. The Lowenstein Patent (the Negative Grid Bias), which has already been adjudicated (particulars about this patent will be given in a future issue) is another; there are others.

Western Electric has already started a suit against Pacent for infringement of its patents. Whether, however, it will start suits against the manufacturers of other independent talking picture instruments, almost all of whom use these patents without a license, I do not know. All I can say is that they could, if they wanted, bring such suits, which must be fought in the courts with the exception of cases of infringement of the Lowenstein patent, which has, as said, been already adjudicated.

When you ask me to tell you which of the independent talking picture instruments is the best and I point out to you which one is in my opinion the best, bear in mind that I am not advising you on the patent situation. It is up to you to determine whether you should take a chance at buying an instrument that infringes on patents or not. I don't want to take any responsibility on that point.

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Does An Exhibitor Have to Arbitrate Altered Contracts?

Often the applications for a contract signed by an exhibitor are altered either by the salesman or by the home office of the distributor without the exhibitor's knowledge.

The object for which a memorandum copy is left with the exhibitor at the time he signs the applications is to enable him to make a comparison of the approved copy with his memorandum copy and so to put him in a position to know whether any changes were made or not.

When the exhibitor discovers that there were either changes in the titles made or new provisions added, he naturally notifies the exchange that he rejects the contracts. But in most cases he is hailed before the arbitration board just the same. If the arbitration board should happen to be fair, he is relieved from such contracts.

But quite often either he is too busy to make a comparison of the two copies or neglects to do so, with the result that when he makes the discovery he has already played several pictures from that contract. He notifies the exchange that, because alterations were made in the applications without his consent, he refuses to acknowledge the contracts and stops playing any more pictures.

In almost every such case the exchange hails the exhibitor before the board asserting that partial performance of the contract on the part of the exhibitor had made the alterations, or the inserted provisions, binding. The distributor representative insists that the exhibitor should have taken care to make a comparison at the time he received the approved copies and that his failure to have done so made the contracts binding. And he asks the arbitration board to force the exhibitor to carry them out.

I have always been of the opinion that the alteration by the distributor or by his representative of an application after the exhibitor had signed it is unlawful and that the demand by the exchange of the arbitration board to bind the exhibitor to such a contract is a demand to legalize a criminal act. But not being a lawyer I sought the opinion of a legal person in court circles, a person whose opinions are valued by jurists of high standing. Here is the question that I submitted to him, and his answer:

Question

"In the motion picture industry the salesman of pictures has no authority to close a contract; he merely takes the application for contracts from the theatre owner and sends them to the Home Office of the company, located in New York City.

"Only if the Home Office accepts the proposition

of the exhibitor can these applications become contracts, upon the approval by one of the executives.

"The exhibitor signs four copies. One of the copies is left with him, as a sort of check up, to see that the contracts are not altered after he has signed them. If the Home Office of the company approves the contracts, it sends one of the copies to the exhibitor, marked 'approved.'

"The applications must be accepted within a certain number of days. Otherwise they automatically become null and void. Such number depends on the theatre owner's town's distance from New York City; it varies from seven to thirty days.

"Suppose one of the representatives of such distributor altered the applications without the consent of the exhibitor either by changing the titles or by inserting a new provision by which either the exhibitor's rights are restricted or he is made to pay a sum of money greater than that agreed upon originally, is that a forgery?"

Answer

To constitute the crime of forgery it is essential that three things exist: First, there must be a false making or alteration of some instrument in writing; secondly, there must be a fraudulent intent; thirdly, the instrument must be apparently capable of effecting a fraud.

(1) Altering by adding to a written instrument, or writing over a genuine signature, may constitute the crime of forgery. This substitution, with fraudulent intent, of the spurious in place of the genuine, where the spurious paper purports to be the act of another "by which a pecuniary demand or obligation is or purports to be or to have been created, increased . . ., or in any manner effected . . .," constitutes the crime of forgery in the second degree, as defined in Subdivision 2, of Section 887, of the Penal Law of this State.

(2) As to fraudulent intent, that is presumed from the fact that the alteration was made by the representative in the exercise of his free and intelligent will. His mind was fully aware of the nature and consequence of his act during its commission, and with such knowledge and full liberty of action he willingly elected to alter the contract. The burden is on him to overcome and disprove this presumption of fraudulent intent.

(3) The character of the paper must be considered. It is the rule that a void instrument cannot be the subject of forgery. Digressing for the moment and viewing the paper in its civil aspect we find that a party to an intended contract who submits an offer to the other party is bound only

(Continued on last page)

"Alibi" (ATFD)—Special Cast

(*Un. A., Ap. 8; syn. 8,167 ft.; sil. not yet fixed*)

Better than "Underworld," in that the latter picture did not have the benefit of talk. The suspense is tense all the way through, particularly in the scenes where the hero is shown shooting the young crook (villain), and apparently killing him, when all he had done was to shoot him with blank cartridges. The effect, however, was the same, for the young crook, thinking that he had been shot by bullets, dropped on the floor semi-conscious from fear. Another suspenseful situation is that in which the young crook is shown attempting to escape over the roofs of the buildings, falling and killing himself in the attempt. As far as moral is concerned, the one conveyed by "Alibi" is better in that it shows convincingly that the toughest of crooks are the most cowardly.

The story revolves around a young girl, daughter of a policeman, who disagrees with her father as to the treatment the police give the crooks. She particularly befriends a young crook (villain) and keeps company with him. The young crook takes the heroine to the theatre. During the intermission at about ten o'clock, he leaves in a fast taxicab to hold up a place, shoots and kills a detective that tried to stop him, and kills a policeman for trying to arrest him. He returns to the theatre just as the curtain went up. He is thus able to prove an alibi when he is confronted with an accusation for the murders. But the hero, an officer in the detective force, who loved the heroine, is not satisfied with the alibi; he sets out to disprove it. The obstinate heroine is told by her father not to associate with the young crook, but she defies him and marries him. The hero, however, is able eventually to prove the guilt of the young crook. He traps him in his hiding place, but the young crook is killed when he attempts to escape.

The plot has been founded on the stage play "Nightstick," by John Wray, Elaine Carrington, and J. C. Nugent. Roland West directed it skillfully. The dialogue is good and the sound recording fairly good. Chester Morris takes the part of the young crook. Eleanor Griffin is the heroine. Pat O'Malley the hero.

"Stolen Kisses" (PTD)—with May McAvoy

(*Warn. Bros.; Apr. 13; syn. 6,273 ft., sil. 5,683 ft.*)

Fair! It is a farce comedy with a few laughable situations, although it is rather silly. The dialogue, which is on the whole very clear, takes place mostly in the first reel with some scattered throughout the rest of the picture. It is somewhat spicy. It doesn't slow up the action. Claude Gillingwater, as a wealthy newspaper man, father of the hero, who is anxious to become a grandfather and is impatient with his rather weakwilled son whose wife refused to have children because it would interfere with her bridge and dancing parties, gives the best performance. Hallem Cooley (hero), as the sap son, is next best and Miss McAvoy is a pleasing heroine. Others that contribute not a little to the fun are: Edna Murphy, as a Follies Bergère dancer, who tried to play the hero for a sucker; Reed Howes, as her manager and sweetheart; Arthur Hoyt, as the older man's secretary. There are a few mild drinking scenes, in which the hero is shown becoming intoxicated in the dancer's apartment, and,

later, the father and his secretary, coming home intoxicated, presumably after a wild party:—

Believing that a change of scene would cause his son and his daughter-in-law to fall in love with each other, the hero's father takes them to Paris, where they become enmeshed in the toils of grafters. A plan is devised whereby the husband and wife would become jealous of each other because of attentions paid to them by the dancer and her pal. It succeeds and hero and heroine fall in love again. But complications arise when the grafters try to blackmail the hero and the heroine, until they land in Court, the wife seeking a divorce. But when she tells the judge that the older man's desires are about to be fulfilled and the judge so informs the father, all is forgiven.

Ray Enright directed it in a breezy manner from a story by Franz Suppe.

"The Red Sword"—with Marion Nixon and Wm. Collier, Jr.

(*RKO, Feb. 17; 6,243 ft.; 72 to 89 min.*)

The unpleasant theme, the too lustful and brutal scenes of the villain's attacking the heroine's mother, the villain's causing the heroine's father to be blinded, and the heroine's vow to seek vengeance, make this well acted and directed tale of the pre-war Russia with its cruel soldiers hardly suitable for average American adult audiences and entirely unsuitable for children. Carmel Myers, first as the beautiful peasant mother and later as the celebrated actress, is good. William Collier (hero) is competent first as the young husband, an innkeeper in love with his beautiful wife, and later as the heroine's sweetheart. Miss Nixon (heroine), is charming as the beautiful daughter whose life is devoted to her blinded father, both seeking to avenge the mother. Allan Roscoe is superb as the general (villain), whose lust for beautiful women made him have many scrapes, and who finally received a just death by falling over the banister of the inn where he had wronged the innkeeper's wife:—

When the hero learned that his uncle, the General (villain), had wronged the heroine's mother, he did all he could to avert their ultimate meeting and prevent her from killing the villain. He persuaded an actress, who resembled the mother, to go to the heroine and induce her to give up thoughts of revenge. When the General sees the actress in the hero's room at the inn, he thinks it is the spirit of the dead woman. Aware of the forecast of his death by a gypsy, he tries to escape from the vision and meets his fate.

Robert Vignola directed it from a story by Wyndham Gittens.

"The Quitter"—with Ben Lyon and Dorothy Revier

(*Columbia; Apr. 1; 5,671 ft., 65 to 81 min.*)

Pretty good; there are thrills, suspense and a human interest story, dealing with the regeneration of the hero after he had fallen in love with the heroine. Both Mr. Lyon (hero) and Miss Revier (heroine) give good performances.

The picture was directed by Joseph Henaberry from a story by Dorothy Howell. Fred Kohler is a good villain. Others in the cast are Claire McDowell as the mother, Charles McHugh, Jane Daly and Henry Otto.

"Show Boat" (PTFD)—Special Cast
(*Universal Super-Special*)

Aside from the fact that "Show Boat" is famous as a book and as a musical comedy, it is a part-talk picture that will, I am sure, have a wide appeal for the reason that there is in it almost every element that makes popular pictures. There is music, and there is action. And there is pathos, deep in some of the situations. The sight of the heroine sacrificing all for the man she loved, even though he caused her misery because of his gambling proclivities, is moving. The closing scenes, where the hero, worn out and haggard, returns to his wife on the show boat and kneels before her penitently, are deeply moving. There are other noteworthy situations in the picture. The storm scene, which loosened the show boat from its mooring and which caused the death of the heroine's father, is thrilling. The direction is good, but the photography is not so good; the film is "rough" and full of static. The music and the singing are good but the tone quality is not of the best. In places the sound is rough and rapsy. Miss La Plante does surprisingly well in her first talking part. Her voice registers well and her acting is better than that in any of her silent pictures so far released. She is required to sing in two or three different places and her singing is rather good. Joseph Schildkraut is good as the hero, a gambler. Emily Fitzroy is inimitable as the hard-hearted mother, and Otis Harlan as the good-natured father. Helen Morgan is shown giving a song or two. Little Jane La Verne, Alma Rubens, Jack McDonald, Neely Edwards—all are good in their parts.

The plot has been founded on Edna Ferber's best seller, which has been produced also as a musical comedy by Florenz Ziegfeld. Harry Pollard has directed it with great skill.

"Show Boat" has great exploitation possibilities. It seems a very good bet.

"Nothing But the Truth" (ATFN)—with Richard Dix

(*Param.*, April 13; 7,256 ft.; 80½ min.)

Amusing! The comedy comes from the fact that the hero had bet his three associates to tell nothing but the truth for twenty-four hours, the stakes being ten thousand dollars. In trying to prevent himself from losing the bet, he had to tell the wife of one of his associates that her husband had entertained a young woman at a cabaret, and to reveal other secrets that were not to the credit of his associates. In retaliation, the three associates put the hero in an embarrassing position in reference to the heroine, daughter of one of the associates, with the result that, a few minutes before the time limit of the bet expired, there is a break between him and the heroine. But soon after the time expired, the hero sets out to undo all the damage he had done by assuring all interested parties that what he had told was not the truth, and that he had said it out of deviltry, with the result that peace is brought back to the mind of the wife of the associate and to that of the heroine. Now and then the action becomes a little slow, but on the whole it is able to hold the interest of the spectator in what is unfolded and said, and to entertain him.

The plot has been founded on the stage farce by James Montgomery. Victor Schertzinger has directed it well. The talk is fairly intelligible although the tone quality is not of the best. Benton

Churchill, Louis John Bartels, Ned Sparks, Wynne Gibson, Helen Kane, Dorothy Hall, Madeleine Gray and Nancy Ryan are in the cast.

"Making the Grade" (PTF) Edmund Lowe and Lois Moran

(*Fox*; Feb. 17; syn. 5,903 ft., sil. 5,024 ft.)

A comedy drama with many comical situations greatly enhanced by the talk. It is a tale of small town life such as Sinclair Lewis' "Babbitt." It is evident that the Fox organization recognized its weakness as a silent picture, because the story itself is weak, and made it as a part-talker. The two big talking scenes add humor and human interest. Edmund Lowe is great as the bored millionaire, owner of most of the town, who returned after many years spent abroad, to take up the responsibilities of managing his affairs. His voice registers well, and he proves himself a good comedian in such scenes as addressing a local organization, where he becomes tongue-tied. Also in the scenes when he tries to capture a tuna fish so that he might prove his prowess as a fisherman; and again as a welfare worker, where he tries to take care of an infant and the mother thinks he is a kidnaper. The last scene, which gives the whole marriage service in dialogue, should appeal to women well. This is really anticlimatical but it is, nevertheless, effective:—

Miss Moran is a charming heroine. Lucien Littlefield, as the hero's companion and employee, has a good voice, too, and adds to the comedy. Others in the cast are Sherman Ross as the hero's rival, Albert Hart and Rolfe Sedan.

Alfred E. Green directed it from a story by George Ade.

A good neighborhood program picture but not big enough for large houses.

"Girls Gone Wild" (SF)—with Sue Carol and Nick Stuart

(*Fox*, March 24; Syn., 5,332 ft.; Time, 59 min.)

"Girls Gone Wild" is not an entertaining picture. It leaves one in an unpleasant frame of mind, even though there are two different spots in it where there are some melodramatic thrills.

The story deals with the unruly daughter of a millionaire, who stages at her home parties that made the cabaret parties look like religious meetings, and who loved the hero, not knowing that he was the son of a policeman; she finds it out when his father calls on her home and arrests her for contempt of court for failing to appear before the court on a summons for speeding. A break of their engagement is the result. The heroine, induced by her father's bootlegger (villain), visits a dive where a party was held. The father informs some other bootlegger friends of his that the villain had threatened to kill him. They go to the cabaret and shoot and kill the villain while he was dancing with the heroine. The friends of the dead man answer with shots and several persons are killed. The enemy bootleggers abduct the heroine. The hero goes after them and eventually is able to locate them and the heroine. But in attempting to rescue her he puts his life in danger until his father and other policemen arrive and rescue them both, arresting the crooks.

Bertram Milhauser wrote the story; Lew Seiler directed it. William Russell, Roy D'Arcy and others are in the cast.

Not for family custom.

when his offer is accepted in its identical terms. If the distributor accepts the altered contract he is agreeing to terms which the exhibitor did not submit to him. So, until the offer as made by the exhibitor is accepted he is not bound by it. Notwithstanding this, the paper altered is not void. It creates a tentative, pecuniary obligation or liability; an inchoate liability contingent upon acceptance for contractual enforcement. It creates a contingent liability.

"The highest court of the State has ruled that an instrument is the subject of forgery when it creates a contingent liability.

"Upon the facts stated by you, I answer that the salesman or representative of the distributor who adds titles of pictures to those designated by the exhibitor over the signature of the latter or inserts a new provision in it without his knowledge and consent is guilty of forgery in the second degree, under the laws of this State, as the three essential elements of the crime exist: (1) The alteration or addition you mention is an unlawful act; (2) the fraudulent intent is inherent in the act itself; (3) the forged paper purports to create a pecuniary obligation because if genuine it would operate as the foundation of the exhibitor's liability."

Since the alteration of a contract is a forgery in the second degree, an exhibitor is not obligated to submit it to arbitration. All he has to do is to lay the matter in the hands of the district attorney of his county, or of the county in which is the exchange. The crime of forgery, like any other crime, is an offense against the people of the exhibitor's state and comes under the jurisdiction of the authorities. He does not have to hire a lawyer to make a complaint; all he has to do is to make a formal complaint with the District Attorney.

Arbitration boards that will insist upon trying a case in which a crime has been committed may make themselves, too, liable to criminal prosecution.

AGAIN ABOUT DROPPING PICTURES FROM THE PRODUCTION SCHEDULE

I have been asked again to express an opinion as to what are the rights of the exhibitors in cases where the distributors decide to drop a certain number of pictures from their production schedules without the consent of the contract-holding exhibitors. They point out particularly to Paramount, which organization is dropping eighteen pictures, not for causes enumerated in the contract, but because they think it is a better business policy.

Paramount states that this decision of theirs was prompted by a desire to further the exhibition of "sound" pictures. For instance, they point out to the fact that those who will install a talking picture device, say, three or four months from now, or even longer, will find an accumulated sound product to take care of their needs.

This paper does not question their motive, but points out to the fact that they are disregarding their contractual obligation with thousands of exhibitors that want the silent versions of these pictures. They bought their pictures on good faith, and expect Paramount to live up to their promises. The contract does not give them the right to drop pictures at will.

Exhibitors that have not signed a release are

entitled to a redress in the form of readjustment of the prices for the entire contract. In the cases where Paramount allocated the prices themselves after the exhibitor signed the applications with a total sum of money to be paid for all the pictures they have still greater claims to such a readjustment.

What is true of your rights with the Paramount is true with all the others that have announced a shortening of their production schedules.

WHEN A PRODUCER-DISTRIBUTOR DECIDES NOT TO MAKE A SILENT VERSION

The following question has been asked of this office:

"I hold a contract for the silent version of 'Alibi.' I now learn that United Artists will not make a silent version of this picture. Am I entitled to the sound version of it at the contract price? What are my rights in this matter?"

The exhibitor that holds a contract for the silent version of a picture without a provision about sound rights for that picture if it were to be made also in sound has a right only to the silent version of it. He must make separate negotiations for the sound rights.

When the producer-distributor, however, after making that picture in sound, refuses to make a silent version of it, he breaches the contract. In such an event, an arbitration board can force him to do one of two things, either make a silent version and furnish it to the exhibitor, at the contract price, or award damages to him, the amount to be at least three times the rental price. The failure of such a producer-distributor to make a silent version is a willful and deliberate violation of the contract, without any extenuating circumstances. It is an utter disregard of the rights of others, and there is no business punishment severe enough for him.

AGAIN ABOUT "THE TRIAL OF MARY DUGAN"

Since expressing certain views about the rights of exhibitors in "The Trial of Mary Dugan," I have given more thought to the subject, and the more I think about it the more I become convinced that those that bought the Norma Shearer pictures in the M-G-M 1928-29 group are entitled to this picture. The three Norma Shearer pictures were sold as star pictures. M-G-M up to this time has not delivered any of them. "The Trial of Mary Dugan" is a Norma Shearer picture. And these exhibitors are entitled to it. If it had turned out to be a poor picture and M-G-M had decided to give it to them, what exhibitor could have refused to accept it? The arbitration boards would have decided that, since they had bought three Norma Shearer pictures not to be founded on a particular story, and since M-G-M would be delivering a picture with Norma Shearer, they would have to accept it. But now that the picture has turned out to be a good one, M-G-M is telling these exhibitors that "The Trial of Mary Dugan" is not one of their pictures.

Take M-G-M before the board, demanding the delivery of this picture on the ground that it is one of your Norma Shearer pictures.

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FOX 1928-29 SUBSTITUTIONS—No. 3

Several exhibitors have asked me how they could proceed to cancel substitutions.

According to the arbitration clause in the contract, an exhibitor must submit every dispute that arises under the contract to an arbitration board for determination. Accordingly, every exhibitor that is summoned by Fox must appear before the board, or else a judgment may be rendered by default. And default judgments are usually against him who fails to appear.

Before you appear before the board, secure the facts that are necessary for your defense. These facts consist of a Fox Work Sheet and one press-sheet for each picture that you know is a substitution, either in story, or in star.

The press-sheets you will naturally have to obtain from the Fox Exchange. Just write to the exchange and tell them that you want these press-sheets for the purpose of preparing your defense. Send your letter by registered mail, and if the Fox manager should refuse to send them to you, you may submit the copy of your letter together with the registry receipt to the arbitration board as evidence. It may not be material evidence but it will show bad faith on the part of the exchange manager. You may then demand of the arbitration board, (1) a postponement of your case until you are able to obtain the press-sheets and so to prepare your defense; and (2) to order the exchange to furnish you with such press-sheets. Remember that a refusal on the part of any one connected with the case on the plaintiff side to present these records to the arbitration board is contempt of court.

If you haven't a Work Sheet, send 65c and I shall be glad to send you a photostatic copy of it. In this manner, you will be able to prove to the arbitration board that the pictures are substitutes in some respect.

In the case of Fox, I believe that you are entitled to attack the entire contract on the ground of bad faith. Fox has had so many substitutions this year that I believe any fair-minded person will agree with you that Fox has shown bad faith.

In case you should attack the entire contract, you are not obligated to answer the summons of the arbitration board; just try to get an injunction forbidding the arbitrators from trying the case until the courts have determined whether the contract is or is not valid. If a jury should find that the contract is valid, then the case may be arbitrated. If it should find that it is invalid, the case is a closed book then and there.

The complaint of the exhibitors has been, as I judge from the letters that I have so far received, not that the pictures are substitutes, but that they are unfit to show to their patrons. Almost every story in this year's Fox product has been founded on either drinking, dives, bootleggers, murders, or sex themes. Almost seven out of ten of them have been crook melodramas. It seems as if the bootlegger, the drunkard, the murderer and the underworld character is the new Fox trade mark. I believe that in some states it may be possible to invoke even the penal law to stop the Fox Distributing Corporation from forcing these pictures on you.

* * *

This article is a continuation of the article on Fox substitutions that was printed in the issue of March 30.

"THE VEILED WOMAN" (No. 4): Originally "Speakeasy" was sold as No. 4. But later Fox decided to make "Speakeasy" as an all-talker and sent to those that had it under contract a Rider asking them to release the Fox organization from delivering it and to accept "The Veiled Woman" in its place. Those that signed the Rider must accept "The Veiled Woman";

those that did not sign it are not obligated to accept it, and are entitled to a silent version of "Speakeasy," having the right to bring Fox before the arbitration board for breach of contract in case it refuses to deliver such a version to them.

"THE WOMAN FROM HELL" (No. 17): "Husbands Are Liars" is supposed to have been the original title of this picture; but the story is not the same, for the reason that, according to the Fox Work Sheet, "Husbands Are Liars" was to have been "A surefire domestic comedy drama of suspicious wives and husbands who think they are getting away with something," and a picture in which lying of husbands was to be, no doubt, in the foreground, whereas "The Woman From Hell" is a semi-crook play, a story of a beach resort in which the heroine lures customers, who pay their admission price with the hope of catching and kissing her, and in which she is shown later as becoming disgusted with that kind of life and of finding happiness in the love of the hero. In addition, Edmund Lowe, Earle Fox, and Marjorie Beebe were promised as the stars, but Mary Astor, Robert Armstrong and Roy D'Arcy are in the finished product. So, besides being a story substitution, it is also a star substitution. You don't have to take it.

"THE FAR CALL" (11): "Row, Row, Row" is supposed to be the original title of this picture, but it is not the same story, for the reason that, according to the Work Sheet, "Row, Row, Row" was to be "A record-pulling story by Harry Brand built around the rowing crews of two rival girls' colleges," whereas "The Far Call" is, according to the press-sheet, "A gripping story of a band of fur-poachers and its attempt to raid the great seal rookeries of Bering Sea," by Edison Marshall. The locale of the story, according to the same press-sheet, is "The colorful streets and dives (Editor's Note: Note the word "dives"; it seems as there can be no Fox picture without bootleggers and dives) of Shanghai's waterfront, the gray waters of the North Pacific and the rocky, fog-bound shores and the quaint village of St. Paul, in the Pribilof Islands of Bering Sea." It requires more nerve than any one possesses in the industry to sell the exhibitors a college story where rowing is the main feature and to deliver a fur-poacher story, filmed in a dive and on the shores of Bering Sea. This case exceeds, in my opinion, that of Warner Bros., who some years ago sold a tennis story and tried to deliver a coal mining story in its place. That picture at least did not have a "dive" in it.

Besides being a story and author substitution, "The Far Call" is also a star substitution, in that Marta Alba, Nancy Drexel, and Barry Norton were promised, but Charles Morton, Leila Hyams, and Ulrich Haupt are being delivered. You don't have to accept it under any circumstances.

"JOY STREET" (28): This is an out-and-out substitution; the picture that was sold to you was to have been founded, according to the Work Sheet as well as to the contract, on the story "La Gringa," by Charles C. Cushing, whereas the finished product has been founded on a story by Raymond Cannon. In addition to being a story substitution, it is also a star substitution, in that Lionel Barrymore, Marta Alba, and Arthur Stone were promised in the Annual Fox Announcement, which appeared in the Herald-World, issue of June 2, as well as in the Work Sheet, but Lois Moran, Nick Stuart and Marta Alba are being delivered with the finished product. Under no circumstances are you obligated to accept the "Joy Street" Fox is delivering to you, which has been scheduled for release May 5.

(Continued on last page)

"Voice of the City" (ATD)—with Special Cast

(*M-G-M, April 13; Syn. 7,427 ft.; Sil. not ready*)

This is an unusually good melodrama of a hero, hunted by the police, and of detectives trying to catch him. Warm human interest is aroused by the fact that the hero, who is shown hunted by the police for having broken jail, had been innocent of the murder for which he had been sentenced to twenty years in the penitentiary. The knowledge that he is innocent makes the spectator take a great interest in his fate. Another player that arouses warm sympathy is Clark Marshall; he is shown as standing by the hero loyally and as helping him to escape, later providing him with a refuge. In addition to human interest and to suspense, there are also a liberal number of comedy situations. Most of the comedy is caused by Alice Moe, who takes the part of Martha, a servant girl, apparently "goofy"; the situation that shows her talking to the detective and following him while the hunted hero lay hidden into a sofa should make everyone laugh. Duane Thompson contributes some comedy, too, particularly where she is shown trying to play a game of cards. Willard Mack is very good as the detective. He arouses some sympathy towards the end, where he is shown laying a trap for the real criminal and getting the evidence by which he clears the hero.

Willard Mack wrote and directed it. Sylvia Fied, John Miljan, Tom McGuire, and Beatrice Banyard are in the cast.

The tone quality is not so good, this being the result of poor recording. But the human interest is so strong that it is unlikely that the average picture-goer will notice it.

The silent version should please almost as well, although it will not draw as big crowds.

"Innocents of Paris" (ATF)—with Maurice Chevallier

(*Param., May 25; Syn. and Sil. 7,816 ft.*)

Surprisingly entertaining. Maurice Chevallier, who is a popular musical comedy star in France, possesses real ability. He can make one laugh and cry alternately in a very short space of time. He possesses a personality that makes one feel cheerful. He seems to be the Al Jolson of France. His English is clear and intelligible, even though he has a pronounced accent. This, however, does not make him hesitate when he talks in English. The locale is Paris. The conversation is in English. Mr. Chevallier is given an opportunity to sing now and then; his singing is very good.

The story in itself is full of human interest. Mr. Chevallier, as the hero, a junk man, is shown saving a boy from drowning. He takes the boy to the boy's grandfather, but the grandfather, because his daughter had years before married without his permission, refuses to acknowledge the child. The hero is thus compelled to take him to his home, where his father and mother gladly welcome him. The boy becomes attached to the hero. When the hero called on the child's grandfather he became acquainted with the heroine and aunt of the boy, and fell in love. He calls on her secretly because the old man would not have his daughter speak to a junk man. One day the old man catches him talking to his daughter and insults him. The hero resents being called a junk man and decides to try the stage and to make good, so as to "show" him. He eventually succeeds, much to the joy of the heroine. But the heroine's father is inflexible. Towards the end, however, the boy makes him realize how hard he had been towards the lovers and makes him beg their forgiveness.

David Durant, the little boy, does excellent work; he endears himself to the spectator. His voice is clear and registers well. The music is good, and the scenes at the theatre spectacular. Sylvia Beecher is charming as the heroine. George Fawcett, as the hero's father, and Mrs. George Fawcett, as the hero's mother, are very good. John Miljan, Margaret Livingston, Jack Luden, and Johnnie Morris are in the cast. The plot has been founded on an original story by C. E. Andrews. It was directed by Richard Wallace.

It should prove entertaining anywhere.

"Hot Stuff" (PTD)—with Alice White

(*First Nat., Syn. 6,774 ft., May 5; Sil. 6,337, April 21*)

Entertaining! It is a picture of jazzing college students, both boys and girls, but it is at no time displeasing, the entertainment being caused by the liveliness of the action. It is the story of a young girl, who, in order to make her-

self popular, pretends that she drinks and smokes and in short behaves like a regular flapper; and of a boy who, too, pretended all these things and more, just because he was made by the other students to think he was a sheik and wanted to maintain that reputation, feeling that it was the only way for him to gain and maintain popularity. In the development of the plot, the hero is shown as realizing that the heroine had been only pretending that she was a modern girl, and tells her so, assuring her that he, too, had been pretending, and that the reputation he had established as a "sheik" was false. This results in a real love affair.

The story was written by Robert S. Carr. Mervyn LeRoy directed it. Miss White does well in her part. William Blackwell is good as the young hero. Louise Fazenda contributes considerable comedy as the heroine's aunt, an old maid. Doris Dawson, Ben Hall, Charles Sellon, Buddy Messinger, and others are in the supporting cast. The talk has been recorded pretty well.

"Saturday's Children" (PTD)—with Corinne Griffith

(*First Nat.; Syn. 7,154 ft., April 14; Sil. 6,727, March 10*)

An entertaining picture. There is comedy, as well as human interest interspersed throughout. The comedy is caused by the heroine's sister, who induces her to marry the young man she kept company with. The heroine is unwilling to lie to the hero, but her sister invents a mythical "Fred" and makes her sister tell the hero that Fred wanted to marry her, thus prompting him to make a marriage proposal. Other comedy is caused by Marcia Harris, as Mrs. Gorlick, the landlady of the heroine; she insisted that her women boarders receive the men visitors with the doors of their rooms open, and that men should depart always at ten o'clock in the evening. Every time the heroine would close the door of her room Mrs. Gorlick would open it and repeat the admonition. This causes much laughter. The human interest is aroused by the heroine's efforts to get along with her impossible young husband, her failure resulting in separation. The hero, too, arouses some sympathy when he realizes how wrong he had been and returns to his wife, whom he loved more than ever, and by whom he was loved.

The plot has been founded on the stage play by Maxwell Anderson. Gregory La Cava has directed it with skill. Miss Griffith is at her best. In the parts where she talks, her voice registers well, winning the spectator's sympathy. Alma Tell, as the heroine's sister, is very good; she photographs well and her voice registers well. Others in the cast are Albert Conti, Lucien Littlefield, Chas. Lane and Ann Schaeffer.

A good entertainment for any theatre.

"The Donovan Affair" (ATFD)—with Jack Holt

(*Columbia, April 11; Syn., 7,154 ft.; Sil. not ready*)

Columbia Pictures Corporation certainly deserves credit for the sound part of this all-talking picture; it has recorded it extremely well when one bears in mind that its production department has not yet had much experience in recording sound. But the story part of the picture is only fairly entertaining. The reason for this is the fact that the action unfolds in one place too long, and deals with the same thing—the efforts of the somewhat braggadocio and blundering police inspector to detect the murderer of the villain; no new elements of mystery are added as the story progresses, with the result that the spectator loses somewhat his desire to know the outcome. Mr. Holt is fairly good in the part of the police inspector, and Fred Kelsey as his stupid assistant. Mr. Kelsey provokes several laughs with the stupidity of the character he impersonates. But Ethel Hales contributes most of the comedy. Dorothy Revier and William Collier, Jr., supply the love interest. The story touches also upon the infidelity of a married woman, but nothing "raw" is shown; also upon blackmailing, the villain being shown threatening to tell the husband of the married woman of their past relation unless she gave him money again. The murder is committed by the heroine's stepmother's butler, who did so to prevent the villain from taking away from him the maid, a young woman with whom he was in love, and who had illicit relations with the villain.

The plot has been founded on the stage play by Owen Davis. The picture was directed by Frank Capra well.

"Close Harmony" (ATFN)—with Charles Rogers and Nancy Carroll

(Param., April 13; syn. 6,271 ft.; 69½ min.)

A pretty interesting plot, good music, and the youthfulness of the principal players make this all-talk picture an excellent entertainment. There is considerable comedy in the beginning, caused by the hero's efforts unaided to carry away from the boarding house where he lived the brass instruments belonging to the members of his band. Other comedy is caused at a cabaret, where the heroine, in order to bring about the engagement of the hero and his band by the theatrical producer, plots to cause a break to a pair of vaudeville players, who had taken the town by storm; she has one of them sit at the next booth and makes the other, who is with her, talk against his friend. The friend naturally overhears the conversation, and resents it. This results in a fight, with consequent black eyes. There are other situations where there is comedy. There is human interest, too. The situation where the hero is shown refusing to accept the engagement because it had been brought about by what he called "a dirty trick" on the part of the heroine naturally wins him the spectator's good will. The love interest between Buddy Rogers and Nancy Carroll is strong. The talk on the part of all the characters has been registered pretty well, and the tone quality is pretty good. The acting, too, is good on the part of the supporting players as well as of Mr. Rogers and Miss Carroll.

The plot has been founded on a story by Elsie Janis and Gene Markey. John Cromwell and Edward Sutherland have directed it. Some of the others in the cast are, Harry Green, Jack Oakie, "Skeets Gallagher," Matty Roubert, Wade Boeteler.

A good talking and musical picture entertainment for anywhere.

Note: There is no silent version for this picture, and no sound-on-disc. Evidently Mr. Kent, General Manager of Paramount Famous Lasky, is trying to force the exhibitors to put in sound-on-film instruments, but surely he is hitting his head against a stone wall just now.

"The Woman I Love"—with Norman Kerry

(RKO; May 26; 6,199 ft.; 70 to 88 min.)

A mediocre story, plus conventional directing and acting, makes this a poor program entertainment. Norman Kerry, as the villain, a wealthy clubman involved in many affairs with married women, is good. Margaret Morris, heroine, is charming, and Leota Lorrain, villainess, is pretty good. Robert Frazer (hero) is adequate. It was directed by George Melford from Erma Stormquist's prize winning "True Story Magazine" story.

"The Rainbow Man" (PTFD)—with Eddie Dowling

(Param., May 18; syn. 8,500 ft.; time, 94 min.)

For deep human interest, the kind that does not leave any unpleasant memories, "The Rainbow Man" is the prize of the season. And it deserves such a prize, not only for the pleasurable human interest, but also for the clean comedy as well as for the cheerfulness of Mr. Dowling. The character Mr. Dowling impersonates is so human that the spectator is captivated by him at the very beginning of the picture. His pal, a performer of a dangerous act, falls down and gets killed. The hero promises him during his dying moments that he will take care of his little boy. And he keeps his word. Frankie Darro is the boy. Needless to say that he is a charming child and does his work most artistically. The friendship that develops between the two is so real, so genuine, that children should learn a good lesson from it. There is thoughtfulness and consideration of one for the other. The situation that shows Mr. Dowling breaking the heart of the heroine and of his little pal so as to force them both to go back to the old man, father of the heroine and grandfather of the little boy (son of the dead sister of the heroine) because he realized that he, being a poor man, could not give either of them the comforts of life they could have if they would go back to the old man, is very touching. The reunion between the little fellow and the hero, and shortly afterwards between the heroine and the hero, is very touching. The scenes in the theatre where the hero was directing his songs and his talk to the heroine, who was sitting in the orchestra, the audience all the while thinking that it was part of the act, is, although a bit theatrical, effective nevertheless. The picture is, in fact, full of human interest situations. The talk is not always clear,

and the tone quality is good in some places, fair in others, and very poor in others. But the human interest is so deep that it is unlikely the picture-goers will notice this defect very much.

The story is by Eddie Dowling himself. It was directed by Fred Newmeyer. Marian Nixon is charming in the part of the heroine. Sam Hardy is excellent as the proprietor of the Minstrel Show, in which the hero and his little friend acted. Lloyd Ingram is good as the inflexible father of the heroine.

"Scandal" (PTFD)—with Laura LaPlante

(Universal; Syn. 6,635 ft., May 5; Sil. 6,475 ft., Apr. 21)

Good! Though the story is familiar, it is well acted and directed; the photography in spots is beautiful. The talk, not always perfect, adds to its dramatic value, particularly in the last scenes; these would not have been so effective in silent form. There is fast action. In the situation that shows the heroine making up her mind whether to lose her husband's love and her reputation, or to save an innocent man's life by admitting he was in her company when the murder of his wife was committed, the suspense is tense. Miss La Plante has a pleasing voice; she is a good actress and makes an appealing heroine. Huntley Gordon, as her loving husband, a champion polo player, is virile looking and his voice is pleasing. John Boles, as the heroine's former lover, sings nicely and is competent as the innocent man who refused to save himself, because he was shielding the heroine. Jane Winton (villainess), as his wife, who loved the heroine's husband, and who is finally murdered by another lover (he had grown tired of her), is good, too. Eddie Phillips, as the heroine's child, is charming; his voice registered nicely.

The heroine tried vainly to repulse the attentions of her former lover who awakened in her an infatuation which she had for him when, as a wealthy young girl, she first met him. When her family had become poor, she had lost sight of him till they met at the hotel where she was a stenographer. He continued to harass her even after she had married the polo player who adored his wife but who wanted no breath of scandal to touch her. He is at the heroine's home when his wife is murdered and is convicted of the murder because he refused to say where he had been. The heroine, after realizing all she would lose, confesses to her husband what had happened and he lets her work out her own salvation.

The scene where the heroine attends the races, after the trial was over, and where she is shunned by most of her friends, is deeply moving. The whispers of the crowd, commenting on her nerve, bravery or whatever they chose to call it, is well reproduced and is very effective.

The picture was directed well by Wesley Ruggles from Adele Rogers St. John's story. Julia Swayne Gordon and Nancy Dover appear in the cast also,

"One Stolen Night" (PTD)—with Betty Bronson and Wm. Collier, Jr.

(War. Bros.; April 20; Syn. 5,243 ft.; Sil. 4,797 ft.)

Despite its incredulous story, it is an entertaining program picture. It has action, mild suspense and a good love story. Miss Bronson (an orphan in the troupe) is a charming and appealing heroine, and Mr. Collier (also in the troupe) is an adequate hero. Mitchell Lewis does the best work; his voice registers well. Rose Dione, as his wife, an expert whip markswoman insanely jealous of her husband, too, is good. Nina Quartero has a bit which she does well.

The story revolves around a stranded Parisian troupe who make their livelihood by performing in a cabaret in Afghanistan. Because of the fickleness of her husband, the circus owner cannot keep a girl in her act, even though it is not the girls' fault. The heroine is chosen for the part. When she is seen by the natives, they believe she is a beautiful native woman, the kind their Pasha would admire. She is sold to the Pasha. The hero, who is in love with her, finds it out, and goes to rescue her. He finds that she has been put out when it is discovered that she is a white girl. He learns also that his brother had confessed to the crime for which the hero had deserted the army to shield him, and that he has been exonerated. And so he is free to take the heroine back home with him. After a fight, in which the heroine whips the circus owner and the hero beats up her husband, they get away.

While the talk is intelligible enough, the voices are not always pleasing to listen to; sometimes they sound very harsh.

Scott Dunlap directed it from a story by D. D. Calhoun.

It seems as if there is something wrong with this picture: unless it has turned out to be so bad that Fox is ashamed to admit it, he is trying to put something over on you, for he has already produced the original "Joy Street" and now has it on the shelf. If the original "Joy Street" turned out to be a poor picture, Fox had no right to make another picture, with a different cast, and founded on a different author's story, and deliver it to you without your permission, in writing. But in order for you to make sure, after rejecting the "Joy Street" he is delivering, as you have a right to do, demand that the arbitration board subpoena the original "Joy Street," which has been founded on the story "La Gringa." Remember that an arbitration board is empowered by law to subpoena any records bearing on the case and a refusal to present them means contempt of court. In such an event, the arbitration board may petition the supreme court to certify the offense and to punish the offender.

"PROTECTION" (No. 3): "Lipstick" is supposed to be the original title of this picture, but it is not the same story for the reason that, according to the Work Sheet, "Lipstick" was to be the story of a "flapper," whereas "Protection" is the story of a "managing editor, unafraid of the underworld, machine guns, and all else, taking the bit in his teeth and cleaning up" political corruption, "though it proves a tough fight and not without loss of life." In addition to being a story substitution, it is also a star substitution, in that "Lipstick" was to have Madge Bellamy, George Meeker, and Margaret Mann in the cast, whereas "Protection" has Robert Elliott, Paul Page, Dorothy Burgess and others. Under no circumstances are you obligated to accept it.

"MASKED EMOTIONS" (No. 15): "Stage Door Daddies" is supposed to have been the original title of this picture, but it is not the same story, for the reason that "Stage Door Daddies" was to be, according to the Work Sheet as well as to the contract, a comedy-drama of "out-front" and "back-stage" life, whereas the finished product is, according to the press-sheet, "a smuggling plot, a murder and the destruction of the murderer by the revenge made companion of the boy who was killed," with the coast of Maine as the locale. It is a long way from a story of back-stage life to a story about smugglers and murderers, but such are the ways of the Fox organization. You don't have to take it. It is not the picture you bought.

"THE EXALTED FLAPPER" (No. 23): "Kisses for Sale" is supposed to have been the original title of this picture, but it is not the same story for the reason that, according to the Work Sheet as well as to the contract, "Kisses for Sale" was to have been a "flapper story," of "free and easy young women who kiss—and tell," whereas "The Exalted Flapper" is a story of a fictitious Balkan kingdom, dealing with queens, princes and princesses. You don't have to take it.

THE SOUND GRAFT

Thus writes a subscriber from a town in a midwestern state:

"I am wondering if you are aware of the extent of the Hi-Jacking the exchanges are giving their sound accounts in this territory. I have just bought a . . . equipment and thank God I do not get the installation until August 1st. I have silent pictures under contract at \$40; they want \$400 for the sound pictures, plus \$75 for music score for each picture. For silent comedies I pay \$5; for sound they want anywhere from \$12.50 to \$25. I pay \$3 for a 14-day News, and the cheapest I have been quoted in Sound News is \$25. This is a town of 5,000, with plentiful dirt roads, and when it rains we are isolated. If I had a sound installation here during the terrible weather we had in January and February, with the fantastic rentals asked I would have been broke by this time, flatter than a pancake."

* * *

The extent of hi-jacking done by the exchanges is described but meagerly by this exhibitor; worse things are being done in other zones. Few exchanges make concessions to exhibitors that have many silent pictures under contract. It seems as if they are doing everything there is in their power to make it difficult for the exhibitor to transform his business from silent to sound. Not a word of encouragement; not an act of help, as if the very existence of the distributors depended on the exhibitors remaining "Silent."

The subject of "score" charges will be taken up in one of the forthcoming issues at an early date. In the meantime, I suggest to all those that are contracting for sound pictures to state in the contract that the price includes "score" charges. The records cost very little to make; around twenty cents a piece, I believe. So the charges for "score" are supposed to represent the royalty paid to the American Society of Composers, Authors and Publishers. Let these charges be included in the total sum to be paid; don't let them make you sign up for pictures and for rights to music separately.

FORCING A FIVE-YEAR FRANCHISE

Several exhibitors have complained to this office that First National and Warner Bros. are refusing to sell them pictures unless they sign up a five-year contract or franchise.

A seller has the right to sell his product on any terms he desires so long as he violates no law. Accordingly, Warner Bros. and First National have the right to demand a five-year franchise or contract, if they so see fit, and may refuse to sell an exhibitor that fails to accept their terms.

A five-year franchise or contract policy, however, must be general. In other words, they must demand the same terms of all those to whom they offer their product. To insist on a five-year franchise of one exhibitor and not of another may give that exhibitor the right to bring them to court for discrimination. If discrimination should be established it may make the executives of these two organizations liable to criminal prosecution.

If Warner Bros., or First National, have refused to sell you their pictures on any other than a five-year basis, you had better consult your lawyer about it with a view to bringing action against them either in the Federal or in the state courts.

HONEST ADVERTISING OF SOUND PICTURES

The latest bulletin of Associated Theatres of Indiana contains the following item:

"A great many exhibitors, both large and small, have made a very serious mistake in connection with their advertising sound pictures. We refer to the matter of advertising 'ALL TALKING' pictures when these are mostly music and little talking . . . If we want to keep good faith with the public we must be honest in our advertising. If a picture is merely sound or musical accompaniment, tell your public the truth and don't try to mislead them."

* * *

This is sound advice, indeed; and any exhibitor that will disregard it will sooner or later suffer the consequences of his act.

But, in order for the exhibitor to tell the truth to the public, he must be in possession of the truth. And how can he be in possession of the truth when the producer-distributors sell him some pictures as "dialogue pictures," although there is no dialogue in them? M-G-M is advertising "The Duke Steps Out" as a part-talk picture, but there is no dialogue in it at all; a radio announcer announces a fight over the radio. He is not seen; only his voice is heard. And yet M-G-M is trying to pass it as a "dialogue" picture.

Suppose some of those that have bought it do not become aware of the fact that there is no dialogue in it and proceed to advertise it as a "dialogue picture," how could they be held responsible for the misrepresentation?

But the worst misrepresentation so far has been made by some Southern exchanges of United Artists. In the Southern territory, particularly in South Carolina, they sold "The Iron Mask" as a "dialogue" picture even though there is not a single word spoken by one character to another—not a word. Many exhibitors in that territory bought it as a dialogue picture as a result of the assurance of the United Artists' salesmen and paid "dialogue" picture price for it.

Before a picture can be classed as a "dialogue" picture, the voice of an actor must be heard and the movements of his lips must be seen; there must be perfect synchronism between words and lip movements, recorded at the time the picture was photographed and not afterwards. Not even singing can class a picture as a "dialogue" picture.

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Driving Picture-Goers Away from Picture Theatres

At the Trade Practice Conference, which was held, as you remember, in October, 1927, the producers and distributors passed a resolution promising to avoid certain story material. The following was the resolution: "Resolved that those things which are included in the following list shall not appear in pictures produced by the members of this Association, irrespective of the manner in which they are treated." A list of 11 promises followed.

Promise No. 1 read as follows: "Pointed profanity—by either title or lip—this includes the words God, Lord, Jesus Christ (unless they be used reverently in connection with proper religious ceremonies), Hell, Damn, Gawd, and every other profane and vulgar expression however it may be spelled."

On April 14, Fox scheduled for release a picture titled "Woman from Hell."

The use of the word "Hell" is in direct violation of the solemn pledges Fox, along with the other producer-distributors, made to the United States Government, represented by the Federal Trade Commission, and to the representatives of the theatre owners.

Mr. Hays is spending quite a little time, and money, in assuring the churches and the welfare organizations of the country that the members of his organization are trying everything possible to make pictures that do not offend the sentiments of the people of the United States. Here is a case that belies his statement; he has done nothing to stop the use of this word in pictures.

You have the right to refuse to play this picture, arbitration board, or no arbitration board, for it is as said, in direct violation of promises made to the United States Government, and to your representatives, unless the title is changed.

Aside from the fact that the use of this word makes Fox a violator of the promises made by an organization of which he is a member in good standing, it is also unwise; for it antagonizes many picture-goers, most of whom are regular picture theatre customers.

The word "Hell," included in titles, is not the only thing that must be condemned; whole titles, too, are offensive. First National, for example, had "Seven Footprints to Satan." Now, everybody knows that the word "Satan" is offensive to religious persons. And nine chances out of ten are that at least twenty-five per cent, of religious picture customers kept away from the theatres that have shown this picture.

Then we had "Manhattan Cocktail," offensive to the honestly dries, most of whom are regular picture-goers.

But the Fox Film Corporation has been the worst offender as to the choice of offensive titles: "Dry Martini," "Me, Gangster," "Red Wine," "Speak-easy," and "Woman from Hell."

The secret of the success of a business is to give the public what they want. But the producers are in many cases giving them what they don't want. They have not yet learned that for a picture to be successful it must appeal to the greatest number of people. And titles such as these estrange anywhere from twenty-five to seventy-five per cent of the regular picture patrons.

THE RADIOTONE CORPORATION'S OFFER

I have been asked by several exhibitors to express an opinion as to the merits of the offer made to them by the Radiotone Pictures Corporation for the free use of their talking picture instrument. The offer is as follows:

An exhibitor contracts for their six talking shorts weekly, the contract to be for a minimum of one year. The prices are: \$100 a week for theatres seating 600 or fewer; \$125, for theatres seating more than 600 and fewer than 1000; and \$150, for theatres that seat more than 1000. He is to put up a sum equal to the last ten weeks' service as a guarantee for the performance of the contract.

I asked one of the executives what would happen if the exhibitors, after showing their pictures for a certain length of time, found that they are not suitable for his clientele, and I was told by them that he could cancel the contract at any time by paying the difference between his deposit and the price of the instrument, which is set at \$2,000. In other words, if the exhibitor should put up one thousand dollars as a deposit, he will be required to put up one thousand dollars more to purchase the instrument so as to be relieved from the contract.

The value of this offer, then, depends on whether the quality of the pictures they will produce is good or bad. If the quality should happen to be bad, you will be forced to pay \$2,000 for an instrument that is not, in my opinion, worth such a price when I compare it to other instruments that I have been watching lately, which sell for less.

You should not reject the offer, but before tying yourself with a contract you had better wait until they release a supply of pictures for at least five or six weeks. You will then be in a position to know what you will be buying.

"Stark Mad" (ATD)—with star cast*(Warner Bros., March 2; syn. 6,681 ft.; sil. 4,917 ft.)*

This is a mystery story, similiar to "The Terror," but not as good. It is, nevertheless, a pretty good entertainment. In most of the situations the spectator is held in pretty tense suspense following the fate of the characters. Comedy is mixed with the melodramatic thrills, most of it being contributed by Miss Louise Fazenda, who seems to fit well in whatever part she is put. The cause of the suspense is the effort of the heroic characters to find and rescue the son of one of the party (Claude Gillingwater); he had disappeared while hunting in a South American jungle. Most of the action unfolds in an old abandoned Temple in the heart of the jungle. A man-eating ape contributes to the suspense, in that he seizes now one and then another character. The situations where he is shown following the unaware characters and stretching his arms to grab them, the unaware victims just escaping by a hair's breadth, should make most spectators gasp for breath.

Jerome Kingston wrote the story; Lloyd Bacon directed it. H. B. Warner, John Miljan, Jacqueline Logan, Henry B. Walthall, Andre Beranger, Warner Richmond, Lionel Bellmore and Floyd Schackelford are in the cast. The sound has been recorded well; the talk of the characters is intelligible.

"The Betrayal" (SD)—with Emil Jannings, Esther Ralston and Gary Cooper*(Param., May 11; syn. 6,554 ft.; sil. 6,992 ft.)*

Not a good entertainment. The heroine loves a young man. Before he goes to Vienna they have a love union. She is shortly forced by her father to marry the burgomaster, a fat man. The young lover returns and is heart-broken to learn that she married another man. The hero, husband of the heroine, meets the young man accidentally and they become friends. He invites him to his home. The young man does not let the hero know that he knew his wife. The young man is treated by the hero as one of the family. Several years later the young man implores the heroine to tell her husband of their past relations and that the first-born is their child but the hero had been so good to the heroine that she is unwilling to ruin his happiness by telling him. The young man decides to go away. For the last time he, the heroine and her children attend a snow carnival. The young man is on a snow sled with the heroine, taking a slide. A boy happens before them and, in order to avoid striking him, a thing which would have killed him, he steers the sleigh out of its course. But in doing so they strike a tree. The heroine is killed outright and the young man is injured mortally. The hero discovers a letter by which he learns that one of the children is not his. He goes to the injured hero at the hospital and begs him to tell which of the two children is his child. The young man, in order to protect his offspring from the furious hero, points to the hero's child. He dies. The hero now hates his own child. He decides to kill him. He takes him to a precipice to throw him off it, but at the last moment he relents. When he returns home he learns from the dead young man's mother the truth about the child, but the hero tells her that he will love them both alike.

All these are not pleasant sights. The situation that shows him about to kill the child by throwing him off the cliff is horrifying.

Victor Schertzinger and Nicholas Soussnin wrote the story. Lewis Milestone directed it.

"Bulldog Drummond" (ATFD)—with Ronald Colman*(Unit. Art.; rel. date not set; syn. 8,256 ft.)*

An excellent melodramatic entertainment. It is a sort of serial story, because dangers always surround the hero and frequently he takes chances with his life, going into the lair of the crooks. The hero, Captain Hugh Drummond, nicknamed Bulldog Drummond, is excellently impersonated by Ronald Colman. The chief object of his heroics is, of course, a pretty girl; he meets her under peculiar circumstances and learns from her that a certain doctor and his confederates are holding her wealthy uncle a prisoner in the doctor's hospital and that she suspects that they are holding him there for no good purpose. He then undertakes to rescue him. He succeeds; by scaling the walls of the would-be hospital he jumps into the doctor's

laboratory from the skylight and lands on the crooks, carrying away the heroine's uncle on his shoulders while the lights are out. When the crooks, who were taken by surprise, recover and realize what happened they give chase. But the hero speeds away in his powerful machine. The crooks, however, trace him to his home and there surround him. He tries to outwit them by inducing his friend Algie to make up as himself, and by himself making up as the heroine's uncle. The crooks carry the supposed uncle away. They discover the substitution when they reach their lair. But, unaware to the hero, they carry with them also the heroine. The two are carried upstairs and are taken into a room with steel doors; no one could enter or exit while a secret electric switch held the door fast. The doctor ties the hero in a chair, and informs him that it will be a great pleasure for him to kill him. While the doctor is in the laboratory taking some acids with which he planned to kill the hero, the heroine, who pretended that she had fainted, arises and liberates the hero. The hero then chokes the doctor. He holds up the doctor's men at the point of a gun and calls for Scotland Yard. Some of the confederates of the doctor, however, who had not been locked in the room, make up as Scotland Yard men and enter the room ostensibly to arrest the criminals. When the hero discovers that he had been fooled, he decides to go after them. But the heroine makes him desist.

Sapper's stage play of the same name furnished the plot. The picture was directed by F. Richard Jones. Joan Bennett is pretty good as the heroine. Lilyan Tashman, Montague Love, Lawrence Grant, Claude Allister and others are in the cast. Mr. Allister, in particular, is very good; as the monocled Englishman with broad accent, he causes much comedy. The voices have registered well and so they are intelligible in the reproduction.

"Not Quite Decent" (PTF)—special cast*(Fox, April 7; sil. 4,653 ft.; syn. 4,965 ft.)*

The first three reels are draggy and uninteresting; whatever appealing qualities this picture has occur in the last two reels, where the characters talk. The human interest is deep in that part, for it shows a mother trying desperately to save her daughter from the clutches of a man who had ruined her life and who meant no good for her daughter. The young woman, unaware that the heroine was her mother, resents her interference. To save her, the heroine, who is a hostess at the night club, pretends that she is intoxicated and approaches the villain and tells him of their past life, thus shocking the young woman.

There is additional human interest in the scenes where the mother is shown pleading with the young man, who loved her daughter and whom she had sent for, to take the young girl back home, there to marry her. The direction is good and so is the acting, particularly of Miss Dresser, who takes the part of the mother. June Collyer does well as the innocent daughter. Allan Lane is pretty good as the young man. Oscar Apfel, Paul Nicholson, Marjorie Beebe, and others are in the cast. The story is by Wallace Smith. Irving Cummings directed it. The title is weak.

"Loves of Casanova"—with Ivan Mosjoukine*(M-G-M; Feb. 16; 6,179 ft.; 71 to 88 min.)*

Not the type of picture for American family trade because of its theme; a series of love adventures by the great lover, Casanova, mostly with married women. Besides, it is a costume drama in the period of Catherine of Russia dealing slightly with the same theme as "The Patriot," showing the court of the mad czar Peter and the loose morals of his queen Catherine, one of Casanova's sweethearts.

It is done in color and some of the photography is exquisite, particularly the scenes of the famous Venice carnivals. The titles are written in the first person, and they are far more entertaining than the picture. Edwin Justus Mayer wrote them. The star, Ivan Mosjoukine, and Norbert Falk wrote the scenario and Alexander Boltzoff directed the picture. The scenes are laid in Paris and in Venice.

Mr. Mosjoukine is very good as the handsome (so he thought) conceited Casanova but he is far from being handsome.

Perhaps good for the high-brows.

"The Desert Song" (ATDN)—with Special cast

(Warner Bros.; pre-release date May 11; syn. 11,034 ft.)

Two years ago it would have been considered a folly for any one to think that an operetta such as "The Desert Song," which depends on song and color to go over, could be put on the screen. But what at that time was merely a dream is now a reality.

From the production end, "The Desert Song" will prove one of the history-making talking pictures; it has been produced with greater care than any other Warner talking picture. The tone quality is good, and the songs have been recorded so that the sound reproduction is very good. The romantic interest is good, too, and although the color is missing, the fine photography of the black and white and the occasional scene in technicolor, impart to it the charm of the original.

As to popularity, it is a different matter; whether it will draw in the same proportion as the stage operetta drew is a matter that can be known only after the picture has had a run. The stage play had a long run in New York City and was successful in other cities. The screen version of it seems to be the kind that should appeal to the cultured picture-goers, but it may not prove so popular with the rank-and-file.

Mr. Boles is good as the "Red Shadow," chieftain of the Riff. It is shown that he resented the cruelty of the governing forces against the natives; but when he protested to the resident governor, he was struck on the face by him. To prove to the girl he secretly loved that he was not a coward, he became the leader of the Riff outlaw in secret, in the open still being the same son of a French officer. His father, who had been appointed Commandant, vows to catch the Red Shadow, but the latter is illusive; by changing his Arabian robes and discarding the mask, and putting on his French uniform, he would deceive his pursuers. While in his Arabian robes, he would kiss Margot until he made her love him, the daring Red Shadow. Little did she realize that he was none other than the timid son of the Commandant. But his power breaks when he refuses to fight his father; the tribe repudiates him as a coward. Towards the end, however, the reason for his refusal to fight him becomes known to the father. Margot confesses her real love for him.

Carlotta King is good as the young heroine. She, too, sings well. Louise Fazenda contributes her usual share of comedy. Some others in the cast are, Edward Martindel, Jack Pratt, Otto Hoffman, John Miljan, Del Elliot and Myrna Loy. The plot has been founded on the operetta by Sigmund Romberg. Roy Del Ruth directed it with skill.

Note: Warner Bros. have informed this office that they have not prepared a silent version yet but that they will do so soon. In my opinion a silent version of this picture will not be worth much, for the reason that what makes the all-talk version be worth anything is the singing, particularly by Mr. Boles, who is an excellent barytone. The plot is trivial.

"Madame X" (ATFDN)—with Star cast

(M-G-M, rel. date not set; syn. 8,806 ft.)

"Madame X" was put into pictures once before, with Pauline Fredericks in the leading role. It made a great success, because it was a powerful picture. The present version should make a still greater success, for the reason that, not only is it as powerful, more so if any, but also because of the fact that the characters talk all the way through; they impart to the action realism that could not have been imparted otherwise. As in the silent version, so in this version, the most powerful situation is that in the courtroom, where the son, a young lawyer, defends his mother, tried for murder, ignorant of the fact that she is his mother, although the mother knew that he was her son. Hardly an eye will remain dry in that part of the film.

The plot has been founded on Alexander Bisson's play; it deals with a mother who abandons her cold husband and her baby and follows another man. The other man dies. The husband rears his child to think that his mother was dead. The mother returns to the city and when she hears that her child is ill calls on her husband and begs

him to permit her to see him. But he is inflexible; he sends her away. In the years that follow the mother sinks to the gutter. She is befriended by a card sharp, and is engaged to lure victims. They return to Paris. The card sharp learns from her, while she is intoxicated, who was her husband and lays plans to blackmail him. To save her child from humiliation she shoots and kills the gambler. She is arrested and because of her unwillingness to defend herself, the court appoints a lawyer for her. He happens to be her very son. The son defends her passionately. While the jury is deliberating her fate the mother swoons and dies in the arms of her son, who had not become aware of her identity.

Ruth Chatterton does excellent work as the mother, as does Lewis Stone as the father. Raymond Hackett is good as the son. Holmes Herbert, Eugenie Besserer, Mitchell Lewis and others are in the cast. The tone quality in the talk is not of the best but the human interest is so strong that it may be overlooked. Lionel Barrymore has done artistic directorial work.

"The Three Passions" (SD)—with Alice Terry and Ivan Petrovitch

(United Artists; June 1; syn. 6,646; sil. 7,576 ft.)

Rather slow-paced, dragged out, although it is fairly interesting and entertaining. It revolves around the son (hero) of a self-made English Lord, owner of immense dock-yards. He becomes tired of pampered wealth, the jazz-mad modern world in which he lives and joins the church, even though he is very much in love with the heroine, a beautiful young noblewoman. She as well as his own mother, are ultra modern. The heroine and the hero's father fight to keep him out of the church and finally win out when the hero sees his sweetheart being attacked by a hairless vagrant in the mission.

There is pathos in the scenes in which the hero and heroine witness an accident to one of his father's poor employee's, also toward the end when the father is shown dying and the strikers refusing to set his immense machinery going, he attempts to stoke the furnaces, as he did in his youth, before he became so wealthy. There is also suspense in this situation because the hero and heroine come in time to tell the older man that he (the hero) had decided to come back home. He persuades the workers to return so that his father might die peacefully.

Shayle Gardner, as the father, is excellent. Ivan Petrovitch, as the hero is pretty good and Alice Terry is as beautiful and cold as ever. Leslie Faber is the Oxford clergyman who influenced the hero's life and Andrew Engelman is the lustful mission vagrant. Claire Eames is good as the dissipating mother.

Rex Ingram directed it from the novel by Cosmo Hamilton. He had it photographed in England and France.

"Desert Nights" (SD)—with John Gilbert

(M-G-M, March 9; syn. and sil. 7,177 ft.)

Not a good entertainment. Most of the action shows the characters in a desert, suffering from thirst and running the danger of dying at any time. These sights are not pleasant. And there is very little human interest in it because of the fact that the love affair is between an honest hero and a crooked heroine. Besides, what makes the heroine reform is not a sudden realization of that it was wrong for her to live the life that she lived, but her discovery that water was more precious than the half million dollars worth of stolen diamonds she carried with her. The hero, too, does not do anything that would attract the spectator's sympathy for him. He merely happens to be the superintendent of a diamond mine, in South Africa, and when he is tricked by a bogus lord (Ernest Torrence) and a crooked heroine, (Mary Nolan) his accomplice, he does everything he can to recover the diamonds, a thing he succeeds in doing. In the development of the plot, he is shown as falling in love with the heroine.

John Thomas Neville and Dale Van Every wrote the story, unsuitable material for Mr. Gilbert. William Nigh directed it.

If you have this picture under contract, put it on your weakest days of the week.

SIDNEY KENT'S BLUNDER

Recently Sidney R. Kent, General Manager of Paramount Famous Lasky, informed the trade that his company will discontinue recording sound on the disc, confining itself to the sound on the film, because, as he stated, he has found the sound-on-film method far better than the sound-on-disc.

True to this decision of his, Mr. Kent has released several talking pictures lately without disc records.

The attitude of Sidney Kent in this matter is important enough to deserve extended comment in these pages. This paper will, therefore, proceed to show whether the exhibitors or Paramount will be the greatest sufferers.

It is estimated that by the end of the year there will be installed about four thousand disc instruments, without a film attachment. Assuming that the average rental from each of the theatres that have such an installation will be fifty dollars. Paramount Famous Lasky will lose about \$200,000 from each film. If Paramount should make sixty talking films next season, the total loss would mount to about twelve million dollars.

I understand that some of the other producer-distributors are preparing to hold a celebration and to wish that Mr. Kent continue this policy of his. And no one can blame them for this, for it will mean a division for them of about twelve million dollars, which would otherwise go to Paramount.

The question now is whether this policy of Sidney Kent's should or should not make you become excited. In my opinion, no exhibitor should lose any sleep over it for this reason: Since the advent of talking pictures, all previous values have been swept aside. Brand, for example, means nothing any longer. The millions of dollars Paramount has spent in national advertising have been, figuratively speaking, scrapped over night. It is quality that counts today. And Paramount no longer holds the leadership in quality. And here's the proof of it. Paramount cannot show us a "Broadway Melody," or a "Madame X," or a "Show Boat," or a "Singing Fool," or even a "The Rainbow Man." ("The Rainbow Man" will be released by Paramount, but it has been produced by an independent.) The nearest to a successful talking picture they can talk about is "The Wolf of Wall Street." But it is the only one. Such being the case, it is not necessary for any one of you to lose, as I have said, any sleep over what Sidney Kent and Paramount will or will not do.

Even if you were concerned about the matter, you should not worry in the least, for it is unlikely that the board of directors of Paramount Famous Lasky will allow Mr. Kent to toss away next season about twelve million dollars; they will, in all probabilities, force him either to retrace his steps or to get out of Paramount.

DON'T BUY SOUND—MAKE IT YOURSELF!

The efforts of the producers to add sound values to silent pictures result as a rule in failure. Some of the noises and yells of crowds they superimpose in mob scenes drive customers away rather than attract them. Before sound

can be effective it must be in synchronism with the action that caused it; likewise, before yells of crowds can be convincing, they must be in synchronism with the movements of the lips of the mob, the faces of whom must be shown clearly. Otherwise they become ridiculous. So if you want to be ridiculous by presenting to your customers pictures that are fitted with sound ridiculously, why pay for the right? Just buy some sound records and make all the noises you want yourself. Besides, there is an advantage in making your own sound; if you find that your customers don't like it, you can eliminate it, whereas when you buy it from the distributor you cannot eliminate it unless you are willing at the same time to eliminate the music. (In most cases it would be a blessing if you eliminated the music, too.)

A "synchronized with sound effects" picture is not worth one cent more than a silent picture, and often less.

ENDORISING HARRISON'S REPORTS

The following resolutions were passed by Motion Picture Theatre Owners of Western Pennsylvania at its recent annual convention.

"WHEREAS, the publication known as Harrison's Reports has at all times been consistent in its efforts toward aiding the Exhibitor, and,

"WHEREAS, these efforts have at all times been ethical and have never been with any malicious intent or personal ill feeling on the part of the publisher towards any other branch of the Industry.

"WHEREAS, further proof is being daily evidenced by this publication of its good faith through service rendered to Exhibitors, therefore, be it

"RESOLVED, that the M. P. T. O. of W. Pa. now in Convention assembled does hereby reaffirm its faith in Harrison's Reports, and urges all Exhibitors to give it their unqualified support so that it may continue to serve the Exhibitors, and be it further

"RESOLVED, that a copy of these resolutions be sent to the publisher."

AKTIEBOLÄGET SVENSK
FILMINDUSTRI
Stockholm, Sweden.

April 10, 1929.

Messrs. Harrison's Reports
New York City

Dear Sirs,

Referring to your kind letter of the 21st of March, we are glad to inform you that we received the back copies of your Reports duly ordered and we herewith beg to express our thanks for your willingness to duplicate the copies if necessary.

In this connection we may mention that we have found your reports on the whole very reliable and from a European point of view—or perhaps from a Swedish point of view—more worth while to study them than many others.

Yours faithfully,
Olaf Anderson

HARRISON'S REPORTS

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Devoted Exclusively to the Interests of Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

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Vol. XI

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Why the Need of a Law Such As the Brookhart Bill!

The hero meets the heroine at a dance hall. Her abandoned dancing and her beauty attract him. His father cautions him about her morals, advising him to be sure about her before marrying her. The hero, impressed by his father's advice, takes the heroine to a notorious roadhouse, where he had rented a private suite of rooms, consisting of dining room and of a bedroom, and proceeds to test her. The heroine is horrified when she guesses what his object was, upbraids him and then leaves him. He runs after her and begs her forgiveness. They marry forthwith. The following morning the hero's father wakes up because of phonograph playing and finds his son and the heroine in pajamas dancing and kissing each other. His stern, piercing glance makes the hero assure him that, in accordance with his suggestion, he had tested her and had found her a GOOD girl. The father then smiles a smile of contentment.

Such is the substance of the story of "Why Be Good?" the First National picture with Colleen Moore.

When "The Covered Wagon" was produced by Paramount, Mr. Will H. Hays sent letters to almost every civic organization in the United States calling their attention to this picture, and pointing out to what the screen can do in the way of clean and wholesome entertainment. His efforts were concentrated particularly on boy and on girl scouts, with the result that these marched in a body to the theatres that showed this picture. When "King of Kings" was made, he sent letters almost to every minister and every priest in the United States, making it appear as if Mr. DeMille was inspired to produce that picture. What is he going to say to them about this piece of filth? What is he going to tell the parents of the boy and the girl scouts and the parents of millions of other children who will go to see "Why Be Good?" thinking that, because it carries his seal, it is fit to be seen? Some time ago, one of his representatives made a statement to the effect that the seal of his organization ("M.P.P.-D.-A.") stood for everything that is clean and wholesome. He will have a difficult time convincing the parents of these children that this is so.

"Why Be Good?" is only one of the many pictures that have been founded on a filthy theme. Dozens of others could be mentioned.

Mr. Hays has always tried to convince every person not connected with the motion picture industry that his organization is the clearing house of clean pictures. Good people were told that he will not permit unwholesome books, plays or original stories to be filmed. As a censor, he has proved a failure. A one-man censorship, or a censorship by a group of men, is a failure anyway, for no single person or even a group of persons, can tell the American

people what is good or what is bad for them. The real censors should be the American people. And the one that comes in contact with them is the exhibitor. Let each exhibitor be the one that should tell what his customers want or do not want to see, for, after all, if he should use bad judgment it will be he that will suffer the consequences of his mistaken judgment.

The producers have ruined the business because of the trash that they have been serving the American public; and if it were not for the advent of talking pictures, half of the theatres of the United States would have been bankrupt by the end of 1929. But the talking picture will meet with a similar fate if they should be allowed to dish out the same kind of trash they have been dishing out while the silent pictures were in vogue. Signs pointing toward talking picture pollution are not lacking. The latest one is in "Gentlemen of the Press," where one character asks one of the women characters to go up in his flat to fight for her honor.

Under the present conditions, you cannot stop the contamination of talking pictures, because they are made by the same crowd, the Hollywood crowd. They do not understand life, the life of the Great Heart of America, as Mr. Richard Watts, picture and dramatic critic of the *New York Tribune*, once called the America outside New York City and of a few other big cities, because they have built a wall around them, cutting off all communications with it. Their conception of what the American people want is formed by their immediate surroundings, which are vastly different from the surroundings of the great body of American people.

How can you prevent the talking picture from meeting the fate of the silent picture?

By censorship? No! Censorship has not brought about and will not bring about any improvement.

Mr. Hays? He has had seven years of it and has done nothing to improve conditions.

Only a law can do it, a law that will make each exhibitor responsible to the people of his community.

Senator Brookhart has reintroduced in Congress his bill, modified and improved. This bill forbids, as you remember, the selling of pictures before they are made or in a group even after they are made, giving the right to an exhibitor to select what his customers want, rejecting what they do not want. Under this bill, a producer-distributor cannot make an exhibitor buy ten pictures he does not want in order for him to be able to get the one that he wants.

If you should want to see this bill become a law, get busy and work for it. Enlist the aid of every civic organization in your town. Call on the presi-

(Continued on last page)

"Eternal Love" (SF)—with John Barrymore*(United Art., May 11; syn. and sil., 6,498 ft.)*

Despite the Ernst Lubitsch direction and the beautiful (Swiss) background, "Eternal Love" is not a good entertainment; particularly not good for family trade. While enduring love is the theme, the hero does things that estrange him from the sympathy of the spectator. For instance, once he lets his primitive instincts predominate; he so forgets himself as to make an insulting proposal to the girl he loved (heroine). In another situation he takes advantage of another girl, and then he is forced to marry her, thus breaking the heroine's heart. No hero can violate the present day moral code and win the spectator's sympathy. In addition to this, the tragic ending makes the picture anything but entertaining. The hero and the heroine die in a snow avalanche.

The action unfolds in Switzerland, during the days when the French and the Austrians were at each other's throat, around the year 1812. The hero loves one girl but disgraces another. He is forced to marry the girl he disgraced. Another man loved the girl the hero loved (heroine). She marries him with the hope that, by devoting her life to her husband, she might forget the hero. But in vain, for she cannot forget him. A blizzard occurs and the heroine urges her husband to go to the rescue of the hero, who was in the mountains. The husband then realizes that the heroine still loved the hero. The husband takes a pot shot at the hero, unsuccessfully. The hero shoots and kills the husband. During the storm the hero returns safe and calls on the heroine to tell her that her husband had been killed in an accident. The town folk become infuriated and surround the house in an effort to punish them both. The two escape to the mountains. They perish in a snow avalanche.

The plot has been founded on the novel by Jacob Christopher. Camilla Horn is the heroine, Victor Varconi the husband. Hobart Bosworth, Bodil Rosing, Mona Rico, Evelyn Selbie and others are in the cast.

There is no dialogue in it; it is only synchronized with music.

"The Pagan" (SD)—with Ramon Novarro*(M-G-M, April 27; syn., 7,359 ft.; sil. not yet fixed)*

A nice love story, filmed among the beautiful scenery of Polynesia, the same place where "White Shadows of the South Seas" was filmed, and the natural acting of the players make "The Pagan" a pleasing picture. The story holds the interest pretty well all the way through. Mr. Novarro, as the hero, awakens considerable sympathy. He is a native, owner of an estate, which a white trader steals from him by making him sign papers he, the hero, did not know what they contained. His love for the white trader's ward (heroine) is so strong that he forgets everything else. The hero wakes up only when he learns that the sanctimonious white trader was marrying the heroine. He carries her away to the mountains. The white trader follows them and, while the hero is absent looking for fruit for food, carries her away and takes her to his boat. The hero returns and is heart-broken when he is unable to find her. A cane, dropped by the white man, gives him the clue. He follows him to his boat and, after giving him a good beating, rescues the heroine. They dive off the boat to swim ashore. The villain follows them in a boat. He overtakes them. The hero, however, rocks the boat and the villain falls into the water. A shark swallows him. Hero and heroine thus find happiness in their love for each other.

John Russell wrote the story; W. S. Van Dyke directed it. Renee Adoree, Dorothy Janis, and Donald Crisp are in the cast.

Although Metro-Goldwyn-Mayer is advertising "The Pagan" as a part talk picture, there is no dialogue in it; Mr. Novarro only sings several songs.

"Mother's Boy" (ATDFN)—with Special Cast*(Pathe, May 12; 7,423 ft.; time, 82½ min.)*

As a two-dollar picture, "Mother's Boy" is a flop; the story is poor, the direction worse, and the acting mediocre. The only acting that is worth-while is that by John T. Doyle, the actor who took that part of the father. His Irish brogue is convincing. As to the tone

quality, there has never been worse in a picture. At times one could hardly hear the actors; it sounded as if the talking and Mr. Downey's singing came from far away. Pathe attribute this to the instrument, which is of Western Electric make. In the opinion of this paper, the fault lies in both, the instrument and the recording; although Pathe is using the Photophone sound track, its producing executives seem not to have learned how to use it yet, if one is to judge by the poor results they are getting with it in the News Weeklies. It is said that Morton Downey, who is a vaudeville star, is an excellent tenor; this picture does not do credit to his singing.

The story unfolds in America and deals with a poor Irish lad who is suspected of having robbed the mother's cup, when in fact the brother had done it, and is ordered to leave the house. He is heart-broken because no one believes in his innocence, not even his sweetheart. He obtains a position in a night club, makes fame and is engaged to appear on the stage. On the first night he gets word that his mother is dying from a broken heart, longing for him. He throws the chance of his life away to go to the bedside of his mother. His presence brings her back to life and to health. His press agent, grasping the incident of his quitting the theatre to go to his mother's bedside, gets front page publicity, as a result of which the hero receives flattering offers. He marries his old sweetheart.

The story, which has been written by Gene Markey, is not bad, but it has not been handled well. The direction is by Bradley Barker. Beryl Mercer, Brian Donlevy, Helen Chandler, Barbara Bennett and others are in the cast.

"The Squall" (ATD)—with Special Cast*(First Nat., May 26; syn., 9,600 ft.; sil. not fixed)*

Whatever the shortcomings of this "The Squall" are, it is a picture that does credit to this new art, for from the point of direction and acting, few pictures can equal it. Miss Alice Joyce rises to heights of acting she had not reached before. "Broadway Melody" gave an opportunity to Bessie Love to show the world what she can do. "The Squall" has given Alice Joyce a similar opportunity. As a mother and a wife, showing fortitude, forbearance and perseverance, she lives her part; she makes one feel, in fact, that few mothers could have gone through what she went through and come out of it as winners.

A gypsy comes to the heroine's house during a storm and with her crocodilean tears begs them to hide her from the gypsy that was pursuing her, assuring them that she was not a gypsy, but a white stolen by gypsies from her parents when she was still a baby. The heroine, being tender-hearted, believes in her tale and hides her. The gypsies go. Soon this vampire is able to make the heroine's husband and her son become madly infatuated with her. The son becomes so love blind, in fact, that not only does he break the heart of the girl he was engaged to, but also becomes a thief; he steals money to buy the gypsy jewels with, lying afterwards to his mother in order to hide his guilt. The heart of the heroine breaks when she realizes that the son she was so proud of had disgraced the family by having committed a theft, and that the husband who so loved her had fallen under the charm of the gypsy. But her perseverance eventually conquers; she eventually convinces each one of them of the folly of his ways. The gypsy band returns and the heroine delivers the gypsy to them. They then find out from the gypsies that she was the wife of the gypsy that had sought her in the storm when she sought asylum in their house, and that she had the habit of posing as a white girl, and playing upon the sympathy of people, later causing heartaches to them.

In addition to Alice Joyce, Loretta Young deserves favorable mention; also Myrna Loy, as the gypsy; they act with art. Zasu Pitts, too, is great in her part of servant. Richard Tucker, as the father; Carroll Nye, as the son; Nicholas Soussasin, Harry Cording, Knute Erickson, George Hackathorne—all look and act their parts. The plot has been founded on the play by Jean Bart. The action in the play unfolded in Mexico. Mr. Alexander Korda, who directed it, transferred the action to Hungary, a wise act. The actors speak their lines well, and their voices have registered so well that their talk is intelligible at all times. The theme is rather sad, but the picture is worth showing.

"Why Be Good?" (SD)—with Colleen Moore

(*F. Nat.*, syn., 7,597 ft., *Mar. 7*; *sil.*, 7,070 ft., *Mar. 3*)

Poor stuff! Not a single one of the characters awakens any sympathy, and the theme is too raw; a rather is shown admonishing his son (hero) to test the heroine as to her moral character before marrying her. And the hero carries out this advice; he takes her to a boarding house, hires a bedroom and a dining room and when the heroine tells him she had never been in that roadhouse before he questions the veracity of her statement. Opening the sliding doors of the bedroom, he asks her again if she had seen those rooms before. The heroine, guessing what he had in mind, is horrified and runs away from him. The hero runs after her and begs her forgiveness. They marry. The following morning he tells his father that he had found her chaste and so he married her.

The story was written by Carey Wilson and was directed by William Seiter. Neil Hamilton, Bodil Rosing, John Saintpolis, Edward Martindel, Louis Natheau and others are in the cast.

The picture is not worth showing. The Strand Theatre, a First National house in this city, passed it up, a thing it had not done before to a Colleen Moore picture. If you are in a small town, you will hurt your business if you show it.

"Gentlemen of the Press" (ATFN)—with Star Cast

(*Param.*, May 4; syn., 5,927 ft.; time, 65½ min.)

It is an excellent picture on the whole, but the ending kills it; the death of the hero's daughter at childbirth is shown; it is too pathetic to be entertaining. There is hardly a family in the United States but has had a death. For them to see such a death in a picture will, no doubt, make them feel as if they went to a wake and not to a theatre to be entertained. The first part of the story deals with the hero, father of a motherless daughter, whom he had not seen for years, because he could not earn enough money as a night city editor either to send for her or to go to her. Upon her graduation she elopes with a young man. The couple unexpectedly call on her father. He is happy to have them. The hero is offered a position as a publicity agent with a mausoleum company, his main business being to rewrite the stuff his crooked, literarily foolish, employer had written, and to watch him lest he make blunders. The company, thanks to the hero's connections, received so much publicity, that the employer thought it was due to his ability; he took it upon himself to stage a party for the reporters and to give out a statement without the hero's supervision. His statement is silly and the party is a grand flop. After giving him a piece of his mind, the hero quits his job and goes back to the paper as a night city editor. Because during his daughter's child birth he could not leave his post to go to her and she dies asking for him, he feels hate toward his work.

The picture is tactless in that it makes the newspaper men appear as drunkards and bums. The fact that the hero had not seen his daughter for several years is an inconsistency; one cannot believe that a father, loving his daughter as the hero of this picture loved his, could have stayed away from her for such a length of time.

The acting is superb. Mr. Walter Huston is great as the newspaper editor. So is Charles Ruggles, the stage celebrity, as the comical reporter. Katherine Francis is good as the vampire. Betty Lawford is sweet as the daughter. The voices have registered well and are intelligible. The plot has been founded on Ward Moorehouse's play.

The line, "Come up to my flat and fight for your honor," told by one of the characters to a woman, is a little too raw and may invite severe criticism from parents.

"Shanghai Rose"—with Irene Rich

(*Rayart*, *Mar. 6*; 6,539 ft.; 76 to 93 min.)

A slight variation of the "Madam X" plot, but it is only mediocre because of the conventional direction and fair acting. Miss Rich, as "Shanghai Rose" (heroine), proprietress of a cabaret, gives the best performance. Richard Walling (hero), a lawyer, and his father's assistant, is adequate, as is William Conklin, the district attorney and father of the hero. Others are

Sid Taylor, as the bootlegger; DeSacia Moers, as his wife; Anthony Merlo (villain), the heroine's manager and would-be lover, and Robert Dudley, as the blue-nosed reformer.

When the villain is about to disclose to the hero that the heroine is his mother, she kills him and refuses to defend herself at her trial so that her identity might remain hidden. The hero attempts to force her to talk by becoming her lawyer, but in vain. But her husband, who had disowned her years before, unjustly believing her guilty of wrong-doing, could not stand the strain and resigns as the district attorney so that he would not have to prosecute her. He dramatically tells the court that he had caused her downfall. Thus the son learns that she is his mother. The jury brings in a verdict of not guilty. The heroine, however, did not want to face her son and so she jumps into the river. The hero, who was in love with the heroine's supposed daughter, learns that she was only adopted so he continues his love affair with her.

Scott Pembroke directed the picture from the story by Arthur Hoerl.

"The Valiant" (ATFDN)—with Paul Muni

(*Fox*, May 12; 5,537 ft.; 61½ min.)

What power! In the scene where the heroine meets her brother, condemned to die for a crime he had committed, there will hardly be a dry eye. The sister (heroine), is shown as having come from miles away to see the condemned man lest it be her brother. The condemned man, on the other hand, gritted his teeth and put on an air of indifference in an effort to conceal from his sister, whom he loved, the fact that he was her brother. The situation has been handled admirably; it is free from maudliness.

The story is on the whole interesting. In the beginning a shot is heard and the hero is shown going to police headquarters and giving himself up, informing the desk sergeant that he had killed a man. The efforts of the authorities before, at, and after the trial to make him tell who he is and the reason why he had committed the murder are of no avail. He took an assumed name and refused to say who he was, always having in mind his mother and his sister, whom he had not seen for several years; he did not want to bring disgrace upon them by letting the world know that he was a murderer. As for the cause of the murder, he would say that if the facts were known, he would be fully justified, and that he would meet his Maker with a clear conscience. A picture in the paper startles the hero's mother, who lived miles away, and makes her decide to visit the hero. Her daughter persuades her not to take the trip because of her health, offering to go to him herself. The mother consents and the heroine reaches town, secures a permit from the governor to visit the hero, and calls on the Warden, who eventually brings them together. The hero, however, refuses to reveal his identity, succeeding in convincing the heroine that she was not her brother. The heroine returns home and brings the good news to her mother.

Paul Muni does excellent work as the condemned man. Marguerite Churchill, as the heroine, is very sympathetic. De Witt Janning is very good as the kindly Warden. Henry Kolker, Edith Yorke, John Mack Brown, Clifford Dempsey, George Pearce and Don Terry are in the cast. The plot has been founded on the play by Robert Middlemass and Holworthy Hall. William K. Howard directed it with great skill.

The only thing that one might hold against the picture is the fact that it is too sad. Some picture-goers might be depressed by it. But women ought to enjoy it immensely because it gives them a chance to cry to their heart's content.

HAIL MICHIGAN!

The M. P. T. O. of Michigan has again come forward with an accomplishment; just before the Legislature adjourned, they succeeded in introducing a bill making it unlawful for any one connected with the motion picture industry to act as an arbitrator in a dispute arising between an exhibitor and a producer or distributor.

Details of the bill will be given in a later issue. In the meantime HARRISON'S REPORTS congratulates Mr. H. M. Richey, secretary, and the entire Michigan organization for their loyalty to the cause of the exhibitor.

dents of women's clubs, and on the ministers, priests and rabbis of your town, explaining the purport of the bill and asking their help. Talk to the editors of the newspapers and magazines. Call on your congressmen and ask them to help Senator Brookhart unfetter the motion picture industry. Only the Brookhart Bill, or a bill similar to it, can restore the confidence of the public in motion pictures and bring back the golden times. So fight for the reformed Brookhart Bill as you have not fought before.

MAKE YOUR OWN DOG BARK, MR. OTTERSON!

According to trade paper reports, J. E. Otterson, President of Electrical Research Products, Inc., distributors of the Western Electric talking picture instrument, has instructed his sales forces to pass upon the quality of other talking picture devices before permitting the exchanges that handle pictures made under his license to rent an exhibitor film, and to withdraw the permission in case such instruments have given bad reproduction for three consecutive times.

That is good news, indeed! This paper only hopes that Mr. Otterson will apply this rule to all instruments indiscriminately, to his own included. If he should do so, many exhibitors will be spared the pains of holding onto the Western Electric equipment, in its place installing an instrument that will do the work. The breakdowns in Western Electric instruments in this territory have been so frequent that those who have an installation are in constant mortal fear, expecting a breakdown at any time. On the opening of "Coquette" at the Rivoli Theatre, this city, two attempts were made to make the instrument "bark." But in vain. Only in the third attempt, after a considerable delay, were the operators successful. On the second night of the opening of "Bulldog Drummond," there was a near riot because the instrument ceased to talk; the management of the Apollo was compelled to refund considerable money. \$300 had to be returned by another theatre on a Sunday, when the instrument took it into its head to stop talking. In another theatre, which was playing a Rin-Tin-Tin picture, the instrument ceased talking and children ran up and down the aisle yelling, "Make the dog bark! Make the dog bark!" The Palace Theatre, in New Haven, was compelled to refund money to nearly 1800 customers because the instrument refused to say a word, leaving the characters to drift for themselves, trying to make the people understand what they said by means of the sign language. There have been, in fact, so many breakdowns in Western Electric instruments in this territory that, if the Otterson ruling should be made to apply to the Otterson instrument, Mr. Otterson would have been compelled long ago to take out of the theatres an appreciable number of his instruments.

Where, then, does he come in to tell the industry that he has issued orders to his licensees to stop servicing independent instruments that might give "unsatisfactory performances for three consecutive times"? He had better set his own house in order first before attempting to set in order the other persons' houses.

Make your own dog bark, Mr. Otterson, before issuing orders as to how the other fellows' dogs should bark!

DO NOT BUY A TALKING PICTURE INSTRUMENT UNLESS YOU SECURE EXPERT ADVICE

No matter how much you need a talking picture instrument, before signing up a contract for one, get the opinion of some one that knows, for not all the instruments that are sold can "deliver the goods." I have seen an instrument that has been installed in this city by a company that manufactured a non-synchronous instrument, and sold many of them, and can say that it ought to be thrown into the river; it is the worst aggregation of junk that I have yet seen. They have the amplifiers placed on a wooden shelf, with the wires exposed. The connection with the Simplex moving picture machine is made through the balance wheel shaft, the worst place for a connection. I don't think that the fire underwriters could pass such an installation.

Another company demands a royalty weekly for a patent that does not, as it claims, infringe on the Lowenstein patent. But it is not willing to show the patents, stating that the application for them is still pending. How anyone can have the courage to demand royalty for a patent that has not been held by the courts as non-infringing is more than anyone can say.

Another thing you should look out for is this: Some companies assert that their synchronous instruments may be used also for non-synchronous purposes. Such a statement is inaccurate, for a synchronous instrument cannot be used for non-synchronous purposes, except in emergency, and only for a short period of time.

THE FIVE NEW ALL-TALK FOX PICTURES

I have been asked by exhibitors to tell them what I know about the five all-talk pictures Fox is offering for sale. They are: "The Black Watch," "Behind That Curtain," "Pleasure Crazy," "Masquerade," and "World of Music."

Since none of these pictures has been shown to anybody in this territory yet, I can give no information whatever about them. The only advice I can give you is to weigh the promises Fox made in the past and how he kept them; the prices he charged you for his pictures the current season and the profits you made from them; what he promised to deliver and what he delivers, and act accordingly. For my part, if I were an exhibitor I would not believe a representative of the Fox organization under oath. I don't mean that all Fox representatives will willingly make misrepresentations about their pictures, but that these will have to get their facts from the Fox main office. And if I am to judge by what they sold you this season and what they are delivering, as stated in detail in the three articles about Fox substitutions, the statements of the Fox Home Office are to be taken with many grains of salt.

Fox ought to have taught you a great lesson—the lesson of substitutions; and if I were an active exhibitor, I would most certainly profit by this lesson; I would substitute this year some other producer-distributor for Fox.

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THOSE EXTORTIONATE SCORE CHARGES

As a result of the extortionate prices that are being charged for the score, the country is up in arms. Individual exhibitors as well as organizations have become alive to the situation and are looking around for help. Down in Texas there was a convention of the exhibitors in Dallas and the subject of score charges was taken up. It was pointed out that unless relief comes, many exhibitors will be compelled to shut down their doors. The Oklahoma exhibitors sent a long letter—a sort of treatise on the situation—to every exchange in that territory; they pointed out the impossibility of conducting their theatres with a profit if the present charges continue. A copy of that letter was sent to the Federal Trade Commission, and a copy to the Department of Justice. Mr. Love B. Harrell, of Waycross, Georgia, telegraphed to this office informing it that the exhibitors of that territory were to have a meeting in Waycross and asked for a message; the message was sent immediately. Many individual exhibitors have written to this office asking for advice; they inform it that there is no uniform rate of charge for the score; the salesman gets from an exhibitor anything he can; the better talker he is the more he is able to extract from him.

With a view to assisting the exhibitors gain an idea as to what they should pay for the score, I delved into the matter deeply.

The first thing that I needed to form an idea was the agreement for royalties entered into between the producers and the American Association of Composers, Authors and Publishers.

After much hard work I succeeded in getting hold of a copy. The following are the charges stipulated in the agreement:

"9. Licensee agrees to pay for the license hereby granted in the following sums:

"Two and one-half cents (2½c.) during the first year of this agreement for each seat in each theatre or place of public entertainment in which any musical compositions covered by this agreement may be publicly produced or reproduced under this license or under any sublicense hereunder.

"Three and one-half cents (3½c.) for each such seat during the second year;

"Three and one-half cents (3½c.) for each such seat during the third year;

"Five cents (5c.) for each such seat during the fourth year; and

"Five cents (5c.) for each seat during the fifth year.

"It is understood in this connection that in each year the above rates shall be paid even though but one performance be given in a theatre or place of public entertainment in that year under this license, but that on the other hand no additional sum is to be paid for additional performances given during each of the said contract years in question, and that the fact that payment for any given theatre is made for any one year shall not be deemed to require payment for any following year unless one or more performances be given in such subsequent year in such theatre, of any such recording.

"10. It is understood and agreed, however, that Licensee shall pay at least the sum of One Hundred Thousand Dollars (\$100,000) for the first year of this license, and at least the sum of One Hundred and Twenty-five Thousand Dollars (\$125,000) for the second year of this license, whether or not the total of the amounts hereinabove stipulated equal said yearly minimum, such payments to be in the nature of an advance against the amounts above stipulated for each of the years in question, and no parts of the said advances

are to be repaid in any event to Licensee because of the fact that the total sums for each year calculated at the seat rate above set forth, may not equal or amount to said advances in each said year. Said minimum amounts shall be payable as follows: (method of payment follows.)

"As to any and all sums payable over and above the aforesaid minimum amounts in said first and second years, and as to all payments to be made hereunder during the third, fourth and fifth years, it is agreed as follows:

"Licensee agrees that on or before the twentieth day of each month, it will notify Licensor in writing as to each theatre or place of public entertainment where any number covered by this license shall have been publicly produced or reproduced under this license for the first time within the calendar month next preceeding, giving name, date, location of theatre or place of public entertainment, total of said seats; and will at the time of said notification pay any license fees which may then be due and payable hereunder therefor. This provision shall, however, not be construed as requiring Licensee to give more than one notice with respect to any given theatre or place of public entertainment during each year of the continuance of this license."

* * *

Before continuing the discussion about the score charges, let us make some observations about this agreement. First, it uses as a basis for royalty charges the seats of your theatre, in which neither the producer nor the American Association has any interest. I am not a lawyer and therefore I am not in a position to know whether this is a legal or not. I assume it is; the Association employs competent lawyers and I take it for granted that these would not make an agreement that would fail to measure up to all the legal requirements. But whether it is legal or not, it is pretty "raw." We are not questioning the right of the American Association to make these charges; they have Supreme Court decisions that give them the right to make charges for the use of the musical compositions of their members. But don't you think that, where your business forms the basis of an agreement, you should have been consulted?

The second point is that each producer-distributor, by signing this agreement, turns into an informer; he is required to tell the American Association where his film has played, so that it might be easy for the Association to sue the exhibitors if they should not happen to have obtained a license from it for the use of the musical compositions of its members for public performance.

Again I desire to make it clear that I do not criticise the American Association for trying to protect the rights of its members from those that use their music without a license; I merely desire to point out that every producer that has signed this agreement has become a policeman for the American Association of Composers, Authors and Publishers.

Let us now resume our discussion about the exorbitant score charges:

The charge made to each producer-distributor by the American Association for the use of their music is so small that, subdivided among the thousands of exhibitors that might play a producer-distributor's film, it is insignificant. A representative of the American Association told me that he does not think the 2½c. per seat royalty will make up \$100,000 just now; that is why they set a minimum amount. Now, suppose a producer released fifty films, and that 5,000 exhibitors bought his product. This makes 250,000 exhibitions. Dividing 100,000, the number of dollars charged by the Association to each producer, by 250,000, the

(Continued on last page)

"Blockade" (PTF)—with Anna Q. Nilsson
(RKO; Dec. 16; sil. and syn. 6,336 ft.)

A pretty good melodrama of rum-running off the Florida coast, full of action and suspense; it has also a surprise ending. The talking sequences are unimportant and even unnecessary though they are clear and pretty well reproduced. Anna Nilsson as the heroine, leading the double life of a society matron and the owner of a rum-running yacht who in the end proves to be a government agent, is quite good. Wallace MacDonald is the hero. James Bradbury, Sr., is good as the pious prominent citizen who, too, is at the head of a rum ring. Walter McGrail is the villain. The photography at first is a little misty but it clears. The picture keeps moving and is interesting to the end. And it shows the manner by which the coast-guards protect the coast from the rum-runners; they are shown also capturing a vessel. Suspense is maintained by keeping the identity of the government agent a secret till the heroine is captured and the hero, who was thought to be the agent, turns out to be a well-to-do sportsman in search of pleasure.

The heroine is captured by the villain and forced to use her vessel to help him bring in some illicit cargo. She falls in love with the supposed government agent and undertakes to "take him for a ride" so that she might rescue him from death at the hands of the villain. When he appears in the heroine's cabin, the villain's men are all for throwing him overboard and getting rid of the heroine, when the government guards rescue them in time.

George B. Seitz directed it well from a story by Louis Sarecky and John Twist.

"George Washington Cohen"—with George Jessel

(Tiffany-Stahl; May 15; 5,652 ft.; 65 to 80 min.)

A comedy drama not funny enough to be called a comedy nor serious enough to be called a drama. The opening, which shows the naming of a Jewish baby, giving the entire ceremony, is about the only laughable part of the picture. George Jessel is the hero but he is not the type to arouse sympathy for himself. His comedy is typically Jewish but not of the side-splitting kind. Robert Edeson is good. Others are Corliss Palmer as the unfaithful wife, Lawford Davidson as her lover and Florence Allen as the hero's sweetheart.

The story deals with the troubles of the hero who, because of his name, becomes fanatic about truth-telling. This gets him into all kinds of mischief such as landing in jail, and losing his jobs. He finds the wallet of a wealthy man and, after telling him about his difficulties, gets a job as his private secretary, where he meets the heroine (niece of his employer); they both fall in love. The hero sees his employer's wife in the arms of the junior member of the firm and so tells his employer when he is asked what he (the hero) thought of his wife. This leads him to get a divorce. During the trial, the heroine tells the hero that he should not be so truthful and thus break up a happy home. He then perjures himself and lands in jail. But the heroine remains faithful and they marry when he gets his freedom. He decides to stretch the truth rather than get others into trouble again.

It is based on Aaron Hoffman's stage play "The Cherry Tree" and was directed by George Archainbaud.

"A Dangerous Woman" (ATFN)—Star Cast

(Paramount, May 18; 6,643 ft.; time, 77 min.)

As a record for the gallery of some art museum, "A Dangerous Woman" is excellent; as an entertainment, it is not, for the reason that the main character is a woman whose one business is to make people fall in love with her and when they become disappointed in not being able to possess her to drive them to suicide. The action unfolds in a lonely part of South Africa, too, where people are driven to commit suicide by the monotony of life and by the constant rain as well as by the unbearable heat. This is enough to make the spectator feel as if he had lost every precious thing in life let alone to be burdened with the sight of a woman driving people to suicide. The original title of this picture was "The Woman Who Needed Killing." Paramount Famous Lasky did, of course, a wise thing to change it, but nothing can describe the matter contained in the story better than that title; the heroine just needed killing. And she is killed in the story, for her husband, Governor of the place, a British possession, rather than see his young brother, whom he was fond of better than anything else in

life, be ruined by this woman, decides to kill her. Secretly he puts poison into her drink, but wisely a twist is given to the story so as not to make him a murderer. His aid, a faithful man (impersonated by Clyde Cook), having seen the hero put the poison powder into the glass, goes to a native and borrows a snake, and leaves it in the heroine's room. Her death was the result of a snake bite.

The acting is superb. And that is the pitiful part about it, that such brilliant actors as Clive Brook, Olga Baclanova, Neil Hamilton and Clyde Cook should have been wasted on an unpleasant story. The story is by Margery H. Lawrence. It was directed intelligently by Rowland V. Lee. The recording has been done well; the lines are intelligible at all times. But the reproduction through the Western Electric instrument, with which the Paramount Theatre is fitted, is not one hundred per cent.; one can easily notice the "horniness" of the tone quality, the result of the use of horns in the sound projection system. Unpleasant resonances also are noticed. Better tone quality could no doubt be obtained were the picture to be shown over instruments that use cones instead of horns.

"Kid Gloves" (PTD)—with Conrad Nagel and Lois Wilson

(Warner Bros., Apr. 27; syn. 6,335 ft., sil. 4,885 ft.)

The hero is a hi-jacker. In the midst of a gun fight with his rival, he escapes into the apartment of a friend, a shop-lifter, who gives him protection. When the fight is over, a taxi driver brings in a girl who had fainted. When she is revived, she tells the hero that her boy friend had run away. While in the apartment, the heroine's fiance (villain), believing that she was secretly flirting with the hero, forces her to marry the hero and they had to live together so that no scandal would smirch her name. (She was the niece of a society woman who wanted her to marry wealth. And he happened to be a political hijacker and bootlegger who had means to force others to do his bidding.) Each had learned to love each other, but not until the hero is almost killed by a plot of the villain's do they find it out. And, of course, in the meantime the hero had reformed and become respectable.

Conrad Nagel's voice is excellent and he is a likeable crook and always a gentleman. Miss Wilson is a charming heroine; her voice, too, registers well. Edna Murphy, as the shoplifter, and Tommy Dugan, her boy friend, as the taxi-driver, contribute some comedy. John Davidson is a menacing villain. Edward Earle is the heroine's caddish boy friend and Maude Turner Gordon is her society aunt.

There is a great deal of suspense, particularly in the first half, where most of the action takes place. In the middle, where it gets silent, it drags but picks up again when the dialogue is resumed.

Ray Enright directed it well from a story by Fred Myton and adapted by Robert Lord.

Editor's Note: That a picture with 75% talk, does not make a good silent picture was demonstrated at the Fox Academy where the Western Electric instrument retired for almost 15 minutes and the audience hissed and whistled until it found its voice again.

"Montmartre Rose"—with Marguerite De La Motte

(Excellent; Mar. 15; 5,862 ft., 68 to 86 min.)

Mediocre! Its theme is too familiar, the acting is so-so and the direction is poor. It is of neighborhood calibre for double bills. Miss De La Motte, as the gold-digging cabaret dancer, is adequate as is Rosemary Thebe as her benefactress, who raised her to hate men, because of her own blighted life. Harry Myers is fair as the boulevardier. Paul Ralli, as the hero who became insane when he thought the heroine was a wanton, is not bad. Frank Leigh is the wealthy uncle who believed the heroine was money hungry and Martha Mattox is the hero's mother:—

When the hero's uncle learns that his nephew's fiancée is a dancer, he attempts to break up the match with the aid of the girl's friend by pretending that she is worthless. They succeed so well that the hero goes insane and sinks to the lowest levels, even to the extent of attempting to murder his fiancée when she is saved by the presence of his mother who had come to live with the heroine because she trusted her.

Frederick Hiatt directed it from the story by Adeline Hendrick.

The locale is supposed to be Paris but all speak perfect English throughout.

"The Bridge of San Luis Rey" (PTD)*(M-G-M, March 30; Syn., 7,880 ft.; Time, 87½ Minutes)*

In my career as a reviewer, I have never seen another picture so condemned by the public. In coming out of the Capitol Theatre, I heard several groups discussing it adversely. One young woman remarked to her companion that they had wasted, not only their money, but also their time. I saw several persons walk out. Since I was there at the first performance, it is manifest that these persons left the theatre because they were dissatisfied with the picture.

"The Bridge of San Luis Rey" is not a disgusting picture; it is merely an incoherent aggregation of incidents, without any purpose such as is usually necessary in drama. The underlying purpose is really a preachment, which is not the mission of the picture drama. Five persons drop into a chasm when the bridge of San Luis Rey, in a mountain of Peru, near Lima, the capital of that country, and are killed when the hanging rope and wood bridge breaks. A priest in the Cathedral nearby makes a preachment and tries to explain to his congregation that the death of these persons was the result of the will of Divine Providence. He dived into their lives and tried to find justification in the decision of Divine Providence. Yet, among the five killed is a little child, son of a dancer of loose morals; he was being led away from Lima by the supposed uncle of the dancer. The child was in no way responsible for the conduct of his mother. And yet he is one of the five killed. The whole story is incoherent; in fact there are three or four byplots, sewed together to form one plot. Each byplot is part of the life of each of those that were killed. There is hardly anything shown that would arouse any one's sympathy for any of the characters; on the contrary, there is much shown that is of unpleasant nature. The sight of the dancer, ill of smallpox, for example, is not very pleasurable. The death of one of the two brothers, who had been infatuated with the dancer, is another. The attempt of the other twin brother to commit suicide by hanging is still another.

The plot has been founded on the book by Thornton Wilder. The book is famous but it is manifest that its material is not suitable for picture purposes. Charles Brabin directed the picture; he has done intelligent work, but no director, however capable, can make a good picture out of poor story material, unless he takes it upon himself to alter the plot. In this instance, he was no doubt handicapped by the desire of the producers to adhere to the book plot. The first part of the story shows a priest preaching from the pulpit in a Cathedral. In that part, there is talk. Gradually it dissolves into the main story. Here it is silent. It resumes the talk in the end, where the priest is shown, after having explained the death of the five persons and attributing it to the will of Providence, still standing on the pulpit and taking up the unfinished preachment. There isn't enough talk done to justify the picture being classed even as a part-talk picture. Lily Damita, as the dancer, Ernest Torrence, as her would-be uncle, Henry B. Walthall, as the priest, Emily Fitzroy, Raquel Torres, Don Alvarado, Duncan Rinaldo, Jane Winton, Mitchell Lewis, and others are in the cast. They do good work.

It is manifest that the picture was made in silent form, and when the M-G-M production executives found out what a lemon it was, inserted the talking sequences in the beginning and in the end, hoping to save it. This is, no doubt, dishonesty towards the public.

"Love and the Devil" (SD)—Milton Sills*(F. Nat.; Syn., 6,595 ft., Mar. 4; Sil., 6,370 ft., Feb. 24)*

Here is another uninteresting, and at times boring, picture. There is nothing really shown in it that would make the spectator take a deep interest in the fate of the characters. The action unfolds in Venice, Italy, and the only thing that might prove of interest to the American picture-goer is the sight of the iron cage, used in Italy in criminal trials, such a cage making escape impossible.

The story shows the hero, a Lord, meeting in Venice the heroine, an Italian operatic singer, and falling in love with her. Eventually they marry, the heroine giving up her operatic career. The hero resents the attentions a tenor (villain) pays to his wife and takes her to England. The difference in the heroine's environment, the constant London fog, and the dullness of her life as compared with her colorful life in Italy, where every one vied to pay homage to her, make her so homesick that she induces the hero to take her back to Italy. They return there. The villain

forces his way into the heroine's boudoir. The heroine is indignant when she finds him in and orders him out. He attempts to kiss her. The hero (in regular movie style), finding his wife in his arms, grabs a gun and shoots at the villain. The villain makes a quick exit from the balcony. In descending he kicks a flower pot. The pot falls into the water. A gondolier, seeing an object fall into the water after hearing the shot, thinks it is the body of the person shot and killed. He notifies the police authorities who go to the hero's house. In the meantime the hero, suspecting his wife of infidelity, orders her from the house. She faints outside the house, and is picked up by thugs and carried to their home, where she, after being shorn of her jewels and of her fine dress, is kept a prisoner. The police, not finding the heroine in her home, accuse the hero of having murdered. He is arrested and is tried. But he is acquitted for lack of evidence. The heroine eventually escapes from her captors, and as she had read in the paper (conveniently placed on her bed by the author) that the villain had testified to many lies about her conduct, goes to his apartment with a view to shooting and killing him (Editor's Note: How she could have obtained the gun is a thing only the author knows). The hero, after being freed, rushes to the villain's apartment with a view to manhandling him. Just at that moment a shot is heard and the villain is seen to fall unconscious. The hero turns around and sees his wife holding the smoking gun. They embrace.

The story is by Leo Birinski and Joseph Laszlo. It was directed by Alexander Korda well. There is nothing the matter with the direction. Maria Corda is the heroine. Others in the cast are Ben Bard, Nellie Bly Baker, and Amber Norman.

AGAIN ABOUT "THE TRIAL OF MARY DUGAN"

An exhibitor from California writes as follows:

"Our 1928-29 M-G-M contract calls for four Norma Shearer pictures, none of which has yet been delivered. Now 'The Trial of Mary Dugan' comes out and because it happens to be a 'natural' the exchange informs us that it is a Special, and that we'll have to pay an enormous rental in order for us to get it. They also inform us that they will probably will not make one Garbo, three Davies, and perhaps two or three others from the pictures contracted by us. Have we any redress?"

* * *

This matter has been treated in detail before, but inasmuch as a new thought has occurred to me, I thought that it would not be in vain to treat on it again.

As said before, if "The Trial of Mary Dugan" had turned out to be an unworthy picture, Metro-Goldwyn-Mayer would have forced you to accept it; for the contract does not specify any story or author, and where there is no such specification in a contract the producer-distributor has the right to make you accept any picture of that star.

But the picture has turned out to be good, and Metro-Goldwyn-Mayer tells you that it is not your picture, but a special, and that it will be necessary for you to pay big rentals if you want to get it. Which all goes to show you how much the producers respect your rights. Norma Shearer was your property for the 1928-29 season; she was sold to you in four pictures, but before any of these pictures were made M-G-M used her to make another picture with, telling you that you must wait for the four Shearers you have under contract. Who knows what may happen? M-G-M may find it impossible to make them; in which event your interests will suffer.

The contract provides for arbitration of all disputes. But we know how much chance you have to get justice from the arbitration boards in cases where big issues are involved. We have not yet forgotten the Saginaw, Michigan, case, where the exchangemen stood solidly together, eventually causing an adverse verdict for the exhibitor. You haven't a Chinaman's chance!

But you have some chance in the courts, if you want to take it; I believe that you could sue M-G-M for bad faith, demanding the cancellation of the remainder of the contract. Remember that, when you attack the entire contract, you attack also the arbitration clause. This gives you the right to go to the courts until it is decided whether a breach of contract occurred or not.

It is a case "Heads they win, tails you lose" with the producers. The courts are your only recourse.

number of exhibitions, we find that the royalty charge for each exhibition is forty cents. If the total number of exhibitors that bought such producer's product is greater than 5,000, or, say, 8,000, as is the case with the biggest of the producer-distributors, the pro rata is less than 40 cents. If the number of exhibitors is smaller, the pro rata is greater. In any event, it will seldom be more than one dollar. In other words, one dollar is the average royalty cost to the producer for each exhibition.

Now, the wax records cost them, after deducting the rebates at the end of the year, 60 cents each, at wholesale rates (a recent statement in Harrison's Reports that it was only 20 cent was merely a typographical error.) If you should use two new records for each reel, the actual cost of the records to the producer-distributor on a, say, seven reel feature, would be \$8.40. Adding to this the charge for royalty, which is one dollar, the total cost is about \$9.40. The cost for handling the records, rent for additional space in the exchange and for additional help should not exceed twenty-five per cent. of the actual cost. Therefore, when you pay the producer-distributor \$12.10, or \$13.00, for score charges on a seven reel feature, you pay him for the cost and for the handling, including perhaps a small profit. When they charge you more than that for the use of the records, then it is, in my opinion, highway robbery. I have known cases where exhibitors paid \$150 for the film and were charged \$45 for the records. And the Lord knows how much they charge to first-run accounts—enough, no doubt, to make some producers a fortune out of the score charges alone.

The excuse for such high charges some producer-distributors give is that they spend big sums of money in hiring the orchestras, where the subject is only synchronized, and that the additional cost in the all-talk pictures, where no music is used, comes from the long rehearsals. That is true, but even at that, the talking pictures cost them, as a rule, less to produce, because no money is wasted in taking excess footage; the picture must be photographed complete. In other words, the scenario must be prepared as if it were a stage production, in its final form. Very little cutting can be made after the picture has been photographed. In addition to this, the extra cost, if there is actually any, is taken up by the higher charges for the film.

You can do a great deal to eliminate the extortionate charges for score. Just make your offer for the picture or pictures, whether they are all-talk, part-talk, or synchronized with music and sound effects, to include everything, inserting in the contract the following provision: "This price to include score charges and the cost of records." Don't let any glib-tongued film salesman make you refrain from so stating in the contract. If they give you an argument that they pay royalty to some other company, tell them that it is no concern of yours; after you agree on the "unit" price, let them take care of such royalties in their books in any way they see fit. Insist upon the provision just mentioned. If you should fail to do so, in case they should break you with the extortionate score charges, you will have no one else to blame but yourself.

TIFFANY-STAHL'S ATTITUDE

For more than two months I have been trying to induce Tiffany-Stahl to furnish me with their latest release schedule, but I have not succeeded. I have used every peaceful means of persuasion, for I did not want to use any part of this space for making a direct appeal to you. But it all has been in vain; they will not budge.

The attitude of Harrison's Reports towards Tiffany-Stahl has been at all times more than generous. When two years ago they put out their campaign book to sell you their new product, there was meagre description in it for each picture. Yet, knowing that a small concern such as Tiffany-Stahl could not stand a blast from this paper, and feeling that it was, after all, an independent concern, trying to make a living by selling its pictures at reasonable prices, I refrained from saying anything so that they might not be hurt.

The generosity of this paper, however, was so misunderstood that, when they decided to "gyp" you out of "Lucky Boy," they felt that I would not molest them. But they figured things out wrong; I upset their plans by exposing them and now they feel so resentful that they do not want to give me their new releases. And without the new re-

lease schedule in my hands, I cannot inform you which of their pictures are substitutes.

There is just one thing for you to do, cancel all playdates for their pictures and refuse to give them new playdates, until such time as they furnish me with a new list. And when you do so, inform their Home Office, at 729 Seventh Avenue, New York City, of your act.

The following form letter may be appropriate:

"Dear Sirs: Mr. P. S. Harrison informs me that you are refusing to furnish him with a new release schedule of your pictures.

"I wish to inform you that I have canceled all my playdates for your pictures and will refuse to give new playdates for these or others of your pictures that I have under contract until such time as Mr. Harrison informs me that you have furnished him with such schedule."

If you want me to give you one hundred per cent. service, it is necessary that you give me your moral support when I need it. So act at once. I need your moral support now.

ONE-SIDED CONTRACTS

The latest bulletin of Associated Theatres of Indiana contains the following item:

"Those who may contemplate buying acts from the Vitaphone Corporation . . . will be interested in knowing that there is no cancellation permitted. . . . , as is the case with other contracts. Once you signed it you are hooked and that ends it."

With all its faults, the present contract gives the exhibitor certain rights. The right of cancelling within the time period specified in the contract for a particular zone, for example, is one of them. The exhibitor is entitled to such a right, for the reason that the film salesman has no authority to close a contract whereas the exhibitor can close it on the spot. The cancellation provision was demanded by the exhibitors, and was obtained by them, so as to equalize the advantages for both contracting parties, as well as to force the distributors to accept or reject a contract within a specified period of time, instead of holding onto it indefinitely, as was the case formerly. If the Vitaphone contract contains no such provision, then Warner Bros. has taken away from you a valuable right without any compensation elsewhere.

Warner Bros. is a member of the Hays organization and is honor-bound to adhere to the decisions made by the contract committee, which represents both exhibitors and producer-distributors. Their act of having eliminated that clause from the Vitaphone contracts is, therefore, a breach of good faith on their part; and unless they remedy it at once, the arbitration boards should refuse to arbitrate any of their cases. Arbitration was accepted by the exhibitors in return for a decent contract. When Warner Bros. violate that pact, they renounce their right to the benefits of the regular arbitration. The fact that Vitaphone is, or may be, a different corporation is all bosh; let Vitaphone, Inc., try to sell only acts and see how far they will go.

Throw Warner Bros. out of regular arbitration unless they agree to accept the cancellation provision in the Vitaphone contracts.

THE NEED FOR "WOOF! WOOF!" MEN!

It has been reported to this office two weeks ago that, while a Rin-Tin-Tin picture was shown in a chain house, in Brooklyn, the Western Electric instrument stopped talking and the operator, in order not to disappoint the children that went to see their favorite hero, stuck his head through the porthole and cried, "Woof! Woof!" in an effort to imitate Rin-Tin-Tin.

I don't know how accurate is this information, for I have not checked it up.

Whether the information is correct or not, however, this incident has given me a brilliant idea which I am passing along to Mr. J. E. Otterson, President of Electrical Research Products, Inc., the man who has issued orders to request the licensees of Western Electric to refuse to serve an exhibitor that uses an instrument of other than Western Electric manufacture, if such instrument should give unsatisfactory results for three consecutive times. Think what a comfort it would be to those that have a Western Electric installation if Mr. Otterson should agree to supply a "Woof! Woof!" man with each instrument!

IN TWO SECTIONS—SECTION TWO

HARRISON'S REPORTS

Vol. XI

SATURDAY, MAY 25, 1929

No. 21

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FEATURE PICTURE RELEASE SCHEDULES

The Meaning of the Sound Symbols

(S), "Synchronized with music"; (PT), "Part Talk"; (AT), "All Talk"; (D), "Sound on Disc"; (F), "Sound on Film"; (DF), "Sound on Both Disc and Film"; (N), "No Silent Version." (ATDFN), for example, means that the characters talk all the way through, that the sound has been recorded on both disc and film, and that there is no silent version.

Columbia Features

Trial Marriage (S)—N. Kerry-S. Eilers.....	Mar. 10
Eternal Woman (Little Wildcat)—Borden.....	Mar. 18
The Quitter—B. Lyon-D. Revier	Apr. 1
Donovan Affair (AT)—J. Holt-D. Revier.....	Apr. 11
Father and Son (PTFD)—J. Holt-D. Revier.....	May 13
The Bachelor Girl (PTDF)—Collier, Jr.-Logan...	May 20
Flying Marine (PTDF)—Ben Lyon-S. Mason...	June 3

Excellent Features

Montmarte Rose—M. De La Motte (reset).....	Mar. 15
Roses of Picardy—Rex Ingram Prod. (reset)....	Apr. 1
One Splendid Hour—Viola Dana-A. Simpson....	Apr. 15

First National Picture Release Schedule and Exhibition Values

495 The Crash (Hard Rock)—Oct. 7.950,000B	950,000P
507 Do Your Duty—Oct. 14.....	900,000B 900,000P
538 Companionate Marriage—Oct. 21.....	Special
514 Glorious Trail—Oct. 28.....	700,000B 700,000P
482 Haunted House (SD)—Nov. 4...	800,000B 800,000P
478 Outcast (SD)—Nov. 11.....	1,300,000B 1,300,000P
541 Lilac Time (SD)—Nov. 18.....	Special
512 The Ware Case—Nov. 25.....	600,000B 600,000P
489 Adorat'n (P. B.) (SD)—Dec. 2.1,100,000B	1,100,000P
484 Scarlet Seas (M.) (SD)—Dec. 9.1,300,000B	1,300,000P
504 Naughty B. (R. R.) (SD)—D. 16.900,000B	900,000P
515 Phantom City—Dec. 23.....	700,000B 700,000P
543 The Barker (PTD)—Dec. 30.....	Special
521 Synthetic Sin (SD)—Jan. 6.....	Special
511 Dancing Vienna—Jan. 13.....	700,000B 700,000P
491 Seven Footprints to Satan	
(SD)—Sil. Jan. 27—Syn. Feb. 17.....	800,000B
518 Cheyenne—Feb. 3.....	700,000B 700,000P
553 His Captive Woman	
(PTD)—Sil. Feb. 3—Syn. Apr. 7.....	Special
497 Children of the Ritz	
(SD)—Sil. Feb. 17—Syn. Mar. 3.....	900,000B
492 Love and the Devil	
(SD)—Sil. Feb. 24—Syn. Mar. 24.....	950,000B
522 Why Be Good?	
(SD)—Sil. Mar. 3—Syn. Mar. 17.....	Special
480 Saturday's Children	
(PTD)—Sil. Mar. 10—Syn. Apr. 14.....	1,300,000B
519 California Mail—Apr. 7.....	700,000B
506 House of Horror	
(PTD)—Sil. Apr. 7—Syn. Apr. 28.....	800,000B
550 Divine Lady (SD)—Sil. Apr. 14—Syn. Mar. 31.	Special
503 Hot Stuff	
(PTD)—Sil. Apr. 21—Syn. May 5.....	1,100,000B
516 Royal Riders—May 5.....	700,000B
499 Two Weeks Off (PTD)—May 12.....	900,000B
479 Prisoners (PTD)—May 19.....	1,300,000B
554 The Squall (ATD)—May 26.....	Special
487 Careers (ATD)—June 2.....	Not set
498 Girl in the Glass Cage (PT)—Syn. June 7....	Not set
505 Broadway Babies (PTD)—Syn. June 16.....	Special
555 Man and the Moment (PTD)—Syn. June 23....	Not set
585 Twin Beds (PTD)—Syn. June 30.....	Not set

Fox Features

5	Girls G. Wild (SF) (Girls Will)—Carol (re.).	Mar. 24
4	Speakeasy (AT)—Lola Lane-Paul-Page....	Mar. 24
12	Trent's Last Case (SF) (U.T.C.)—Griffith....	Mar. 31
20	Not Quite Dec't (SF) (G. B.) (N. P.)—C.-D.	Apr. 7
	Last of the Duanees—Tom Mix (re-issue)....	Apr. 7
	Thru Diff. Eyes (ATF)—Bx.-Dn.-Lowe (re.).	Apr. 14
4	Veiled Woman (S'ky) (SF)—Tora (re.)....	Apr. 14
17	Woman From Hell (H. Ls.) (SF)—As. (re.).	Apr. 21
11	Far Call (R.R.R.) (SF)—Mor.-Hyams (re.)	Apr. 28
28	Joy Street (SF)—Moran-Stuart	May 5
3	Protection (Lipstick) (SF)—Elliott-Phipps...	May 12
	The Valiant (ATF)—Paul Muni	May 12
15	Masked Emotions (SF) (S.D'r. Daddies)....	May 19
	William Fox Follies (ATF)—S. Carol-Lane...	May 19
23	Exalted Flapper (Kisses for S.) (SF)—Carol...	May 26
	Black Watch (ATF)—V. McLaglen-M. Loy...	May 26
14	Black Magic (SF)—(Vam. a la Mode)—Dunn	June 2
10	Chasing Thru Europe (SF)—Stuart-Carol...	June 9
	Behind That Curtain (ATF)—Baxter-Moran...	June 10
25	One Woman Idea (SF)—LaRocque-Day.....	June 16
	Pleasure Crazy (ATF)—Burgess-McKenna...	June 17
	Masquerade (ATF)—Birmingham-Hyams....	June 24

Gotham Features**(1928-1929 Season—No earlier Releases)**

Times Square (PTD)—Day-Lubin (reset)....March—
 River Woman (SD)—J. Logan-L. Barrymore....April—
 Knee High—Virginia Lee Corbin (reset).....not set
 A Modern Sappho (PT)—Betty Bronson.....Not Set
 Father and Son (AT)—Beery Sr.-Beery, Jr.....Not Set
 Girl From Argentine (AT)—Carmel Myers.....Not Set

Metro-Goldwyn-Mayer Features

912 All at Sea—Dane-ArthurFeb. 9
 932 The Loves of Casanova—MosjoukineFeb. 16
 929 Wild Orchids (S) (Heat)—Garbo-Asther....Feb. 23
 904 The Bellamy Trial (PT)—Joy-Bronson.....Mar. 2
 945 Overland Telegraph—Tim McCoyMar. 2
 931 Desert Nights (S) (Thirst)—J. Gilbert.....Mar. 9
 916 The Duke Steps Out (PT)—Haines-Crawford.....Mar. 16
 909 Tide of Empire (S)—Adoree-Duryea.....Mar. 23
 906 Bridge San Luis Rey (PT)—Torres-Damita.....Mar. 30
 919 Spite Marriage (S)—B. KeatonApr. 6
 908 The Voice of the City (AT)—Ames.....Apr. 13
 954 The Great Power (AT)—GombelApr. 20
 946 Sioux Blood—Tim McCoyApr. 20
 934 The Pagan (PT)—R. NovarroApr. 27
 940 Where East Is East (S)—Lon Chaney.....May 4
 947 Desert Rider—Tim McCoy-R. Torres.....May 11
 913 China Bound—Karl Dane-G. Arthur.....May 18
 917 A Man's Man (S)—Wm. Haines-J. Dunn.....May 25
 1001 B'way Melody (ATN)—King-Page-Love...June 1
 1002 Trial of Mary Dugan (ATN)—N. Shearer...June 8
 1003 The Idle Rich (ATN)—Nagel-Love-Hyams...June 15
 No release set for.....June 22
 905 Wonder of Women (PT)—Stone-Hyams...June 29
 941 Thunder (S)—Chaney-Murray-HaverJuly 6
 924 Last of Mrs. Cheney (AT)—Shearer.....July 13
 920 Marianne (AT)—M. Davies-O. Shaw.....July 20
 928 Single Standard (S)—G. Garbo-N. Asther...July 27

Paramount Features

2825 Sunset Pass—Jack Holt-C. ConklinFeb. 9
 2861 Wolf of Wall St. (ATF)—Bancroft-Carroll.....Feb. 9
 2865 Canary Murder Case (ATF)—Powell-Hall.....Feb. 16
 2840 The Homecoming (SD)—Hanson-ParloFeb. 16
 2883 Night Club (ATD)—Brice-RooneyFeb. 23
 2884 Pusher-In-The-Face (ATD)—Hitchcock....Feb. 23
 2867 Redskin (SD)—R. Dix-G. Belmont.....Feb. 23
 2827 The Carnation Kid (MTD)—D. MacLean...Mar. 2
 2886 The Dummy (ATFN)—Chatterton (re.)...Mar. 9
 2841 Looping the Loop (SD)—(Ger.)—Krauss...Mar. 16
 2863 Chinat'n Nts. (ATF) (Tong)—Beery (re.)...Mar. 23
 2864 Wolf Song (PTD)—Cooper-Velez (reset)...Mar. 30
 2857 Wild Party (ATF) (Sat. Night Kid)—Bow...Apr. 6
 2872 The Letter (ATD)—Jeanne Eagels (reset)...Apr. 13
 2889 Close Harmony (ATFN)—Rog.-Car. (re.)...Apr. 13
 2890 Nothing But the Truth (ATF)—R. Dix....Apr. 20
 2888 Hole in the Wall (ADTN)—Colbert.....Apr. 27
 2893 Gentlemen of Press (ATFN)—W. Huston...May 4
 2860 Betrayal (Ellis Island) (SD)—E. Jannings...May 11
 2894 A Dangerous Woman
 (ATFN) (Woman N'd K'l)—Bac (re.)...May 18
 2895 The Rainbow Man (ATFD)—E. Dowling...May 18
 2881 Innocents of Paris (ATF)—Chevalier.....May 25
 2876 The Man I Love (ATF)—Arlen-Brian.....May 25
 2891 Studio Murder Mystery (ATFN)—Eldridge...June 1
 2826 Stairs of Sand—W. Berry-J. Arthur.....June 8
 2803 Wheel of Life (ATF)—R. Dix-E. Ralston...June 15
 2808 Thunderb't (ATF)—Bancroft-Arlen-Wray...June 22
 2816 Man Must Fight (ATF) (Mag.)—Rogers...June 29
 2828 Divorce Made Easy (ATF)—D. MacLean...July 6
 2858 Dangerous Curves (ATF)—Clara Bow.....July 13
 2823 The Concert (ATF)—A. Menjou.....July 20

Pathe Features

9543 Geraldine (PTF)—Quillan-NixonJan. 20
 9538 The Shady Lady (PTF)—P. Haver.....Jan. 20
 9611 Sin Town—E. Fair-H. Allan (reset).....Jan. 20
 9534 Noisy Neighbors (PT)—Quillan-Vaughn...Jan. 27
 9672 45 Calibre War—Don Coleman.....Feb. 17
 9533 The Office Scandal (PT)—P. Haver.....Mar. 3
 9641 Hawk of the Hills—A. Ray-W. Miller.....Mar. 17
 9537 The Leatherneck (PTDF)—Wm. Boyd....Mar. 24
 9541 Square Shoulders (PTF)—Jr. Coghlan....Mar. 31
 9524 Strange Cargo (AT)—All StarMar. 31
 9523 The Godless Girl (PT)—All StarMar. 31
 9525 Mother's Boy (ATNDF)—Morton-Downey...May 12
 9540 High Voltage (ATDF)—Wm. Boyd.....Not set
 9535 The Flying Fool (ATDF)—Wm. Boyd.....Not set

Rayart Features

Brothers—C. Keefe-B. BedfordFeb.
 Some Mother's Boy—M. Carr-J. Robards.....Feb.
 Shanghai Rose—I. Rich-R. WallingMar.
 The Devil's Chaplain—C. Keefe-V. B. Faire...Mar. 15
 Two Sisters—V. Dana-R. LeaseApr. 1
 Anne Against the World—S. Mason-J. Mower...Apr. 15

RKO (FBO) Features

92024 Hardboiled—O'Neill-R. InceFeb. 3
 9334 Come and Get It—Bob SteeleFeb. 3
 92015 The Jazz Age—Day-Fairbanks, Jr.....Feb. 10
 9244 The Vagabond Cub—Buzz BartonFeb. 10
 92016 The Red Sword—Marian NixonFeb. 17
 9294 The One Man Dog—RangerMar. 3
 9225 Gun Law—Tom TylerMar. 3
 92019 Love in the Desert—O. Borden-N. Beery...Mar. 17
 9254 The Drifter—Tom MixMar. 18
 9245 The Freckled Rascal—Buzz Barton.....Mar. 31
 92013 Yellowback—Tom Moore (reset).....Apr. 7
 9235 Amazing Vagabond—Bob SteeleApr. 7
 9226 Idaho Red—Tom TylerApr. 21
 9255 Big Diamond Robbery—Tom MixMay 13
 9246 Little Savage—Buzz BartonMay 19
 92010 Woman I Love—M. Morris-N. Kerry.....May 26
 9236 Laughing at Death—Bob SteeleJune 2
 9227 Pride of Pawnee—Tom TylerJune 9
 9247 Pals of the Prairie—Buzz Barton.....July 7

Tiffany-Stahl Features

Lucky Boy (Ghetto) (PT)—Geo. Jessel (reset)..Feb. 2
 The Spirit of Youth—D. Sebastian-L. Kent.....Feb. 10
 The Rainbow (S)—D. Sebastian-L. GrayFeb. 15
 The Devil's Apple Tree—Sebastian-Kent (reset)..Feb. 20
 Molly & Me (Reputation) (PT)—Bennett-Brown...Mar. 1
 Tiffany-Stahl has refused to furnish HARRISON'S REPORTS with a new release schedule manifestly for the purpose of making it difficult for me to tell whether any of their new pictures are substitutions or not. Read the editorial in the first section.

United Artists Features

The Rescue (S)—R. ColmanJan. 12
 Lady of the Pavements (PT)—Velez-Boyd.....Feb. 16
 The Iron Mask (PT)—D. Fairbanks.....Mar. 9
 Coquette (AT)—Mary Pickford (reset).....Apr. 12
 Alibi (Nightstick) (AT)—Chester Morris (re.)...Apr. 20
 Eternal Love (S)—J. BarrymoreMay 11
 Three Passions (S)—A. Terry-I. Petrovitch...June 1
 This Is Heaven (PT)—Vilma BankyJune 22
 She Goes to War (PT)—Eleanor Boardman.....July 13

Universal Features

A5764 The Girl on the Barge (PT) O'Neil.....Feb. 3
 A5737 Burning the Wind—H. GibsonFeb. 10
 A368 Wild Blood—Rex-PerrinFeb. 10
 A5759 The Kid's Clever—G. TyroneFeb. 17
 A364 Wolves of the City—Cody-BlaneFeb. 24
 A5747 Clear the Decks (PTF)—Denny (reset)...Mar. 3
 A5755 Shakedown (PTF)—Murray-Kent (re.)...Mar. 10
 A370 Born to the Saddle—WellsMar. 10
 A5751 Cohens and Kellys in A. C. (PT)—Sidney...Mar. 17
 A5765 It Can Be Done (PTF)—G. Tyrone.....Mar. 24
 A371 Slim Fingers—Cody-ThompsonMar. 24
 A5761 Smilin' Guns—Hoot GibsonMar. 31
 A5768 The Charlatan (PTF)—M. Livingston...Apr. 7
 A379 Plunging Hoofs—Rex-PerrinApr. 14
 A5763 Scandal (Htd. L.) (PTF)—LaPlante (re.)...Apr. 21
 A373 Eyes of the Underworld—CodyApr. 28
 A5753 That Blonde (PTF)—LaPlanteMay 5
 A5771 The Lariat Kid—Hoot GibsonMay 12
 A5767 Blow for Blow—Hoot GibsonMay 19
 A380 The Border Wildcat—WellsMay 19
 A5757 His Lucky Day (PT)—R. Denny (re.)...June 2
 A5770 Come Across (PT)—L. Basquette-Finch...June 2
 A5769 You Can't Buy Love (PT)—Her. (re.)...June 9
 A5767 Winged Horseman (Blow)—Gibson (re.)...June 16
 A5753 That Blonde (PT)—La Plante (re.)...June 23
 A5760 The Play Goes On—All StarJuly 7

Warner Bros.

Million Dollar Collar (PT)—Rin-Tin-Tin...Feb. 9
 221 Fancy Baggage (PT)—A. FerrisFeb. 23
 Stark Mad (AT)—All StarMar. 2
 219 The Greyhound Limited (PT)—Monte Blue...Mar. 23
 The Redeeming Sin (PTD)—D. Costello...Apr. 6

Queen of the Night Clubs (AT)—T. Guinan.....	Apr. 13
224 Stolen Kisses (PTD)—May McAvoy.....	Apr. 13
221 One Stolen Night (PTD)—B. Bronson.....	Apr. 20
222 Kid Gloves (PT)—Conrad Nagel.....	Apr. 27
232 Hard Boiled Rose (PTD)—Myrna Loy.....	May 4
The Desert Song (PTD)—All Star.....	May 11
Sonny Boy (PTD)—Davey Lee.....	May 18
233 Frozen River (PT)—Rin-Tin-Tin.....	May 25
229 From Headquarters (PTD)—Monte Blue.....	June 6
The Glad Rag Doll (Al. An.) (PTD)—Cos.....	June 8
The Time, Place & Girl (ATD)—All Star.....	Not set
Madonna of Avenue A (PTD)—D. Costello.....	Not set

World Wide Features

Moulin Rouge (S)—O. Chekova.....	Jan. 30
Honeymoon Abroad—Monty Banks.....	Feb. 2
Woman in the Night—Maria Corda.....	Feb. 3
Tommy Atkins—Walter Byron.....	Feb. 4
Pawns of Passion (S)—O. Chekova.....	Feb. 17
The Bondman—Norman Kerry.....	Mar. 17
Woman in White—Blanche Sweet.....	Mar. 21
Berlin After Dark—Gerron-Stahl.....	Mar. 31
Black Waters (AT)—John Loder.....	Apr. 14
Week End Wives—Monty Banks-E. Brody.....	May 25
Piccadilly (PT)—Gilda Gray-A. May Wong.....	June 1
The Doctor's Women (S)—Miles Mander.....	June 1
Kitty (PT)—Estelle Brody-J. Stuart.....	June 15
Prince and the Dancer (S)—A. Pauli.....	June —

ONE AND TWO REEL SUBJECT RELEASE SCHEDULES

Educational—One Reel

Served Hot—Cameo-Bowes.....	Feb. 10
Pep Up—Cameo-Bowes.....	Feb. 24
Her Big Ben—Stone-Cameo.....	Mar. 10
Time to Expire—Stone-Cameo.....	Mar. 24
Four Wheel Brakes—Mandy-Cameo.....	Apr. 7
Delicious and Refreshing—Dore-Cameo.....	Apr. 21
Kitty, Kitty—Dale-Cameo.....	May 5
Her Gift Night—Dale-Cameo.....	May 19
Household Blues—Collins-Dent-Cameo.....	June 2
What a Pill—Dale-Cameo.....	June 16
Rubbing It In—Alt-Cameo.....	June 30

Educational—Two Reels

Whoopie Boys—Collins-Mermaid.....	Feb. 10
Auntie's Mistake—D. Devore.....	Feb. 17
The Cloud Patrol—Howes-Farrell.....	Feb. 24
Smart Steppers—St. John-Mermaid.....	Mar. 3
Whirls and Girls—Mack Sennett (T).....	Mar. 10
Summer Saps—L. Lane.....	Mar. 17
Parlor Pests—Collins-Dent-Mermaid.....	Mar. 24
Ginger Snaps—Big Boy-Juvenile.....	Mar. 24
Wise Wimmin—Drew-Ideal.....	Mar. 31
The Bees Buzz—Mack Sennett..... (T).....	Apr. 7
The Right Bed—Coronet (T).....	Apr. 14
Howling Hollywood—Davis-Dent-Mermaid.....	Apr. 21
Good Night, Nurse—L. Lane.....	Apr. 28
His Big Minute (T)—L. Hamilton.....	May 5
Those Two Boys—Collins-Dent-Mermaid.....	May 5
Joy Tonic—Big Boy-Juvenile.....	May 5
— (T)—Mack Sennett.....	May 12
Cold Shivers (T)—Jack White.....	May 19
Only Her Husband—Drew-Ideal.....	May 19
Hot Times—Al St. John-Mermaid.....	May 26
Battling Sisters—Lupino Lane.....	June 2
Mack Sennett Talking Comedy.....	June 9
What a Day—Collins-Mermaid.....	June 16
Helter Skelter—Big Boy-Juvenile.....	June 16
Trusting Wives (T)—Cornet.....	June 23
Studio Pests—Drew-Ideal.....	June 30

Fox—One Reel

King Cotton.....	Feb. 17
An Alpine Pastoral.....	Mar. 3
Details on Dogs.....	Mar. 17
Historic Hungary.....	Mar. 31
Squadrons in the Sky.....	Apr. 13
Vest Pocket Republics.....	Apr. 28
Magic Sands.....	May 12
The Azure Coast.....	May 26
Changing Seasons.....	June 9
A Cup of Coffee.....	June 23
Call of the Deep.....	July 7
Bonnie Scotland.....	July 21

Metro-Goldwyn-Mayer—One Reel

Dying Jungles—Oddity.....	Feb. 2
Secret Boozehounds—Oddity.....	Feb. 16
An Ancient Art—Oddity.....	Mar. 2
Allah L'Allah—Oddity.....	Mar. 16
Jungle Orphans—Oddity.....	Mar. 30
A Persian Wedding—Oddity.....	Apr. 13
The Leader—Oddity.....	Apr. 27
Foundations of Gold—Oddity.....	May 11
Lacquer and Pearls—Oddity.....	May 25
Outlandish Manners—Oddity.....	June 8
Tiny Housekeepers—Oddity.....	June 22
Brown Gold—Oddity.....	July 6
Oriental Motoring—Oddity.....	July 20

Metro-Goldwyn-Mayer—Two Reels

Pair of Tights—All Star.....	Feb. 2
Noisy Noises (S)—Our Gang.....	Feb. 9
Off to Buffalo—Chase.....	Feb. 16
Wrong Again (S)—Laurel-Hardy.....	Feb. 23
When Money Comes—All Star (reset).....	Mar. 2
Light of India (Events).....	Mar. 9
The Holy Terror (S)—Our Gang.....	Mar. 9
Loud Soup—Charley Chase.....	Mar. 16
That's My Wife (S)—Laurel-Hardy.....	Mar. 23
Why Is a Plumber?—All Star.....	Mar. 30
Wiggle Your Ears (S)—Our Gang.....	Apr. 6
Thin Twins—Chase.....	Apr. 13
Big Business—Laurel-Hardy.....	Apr. 20
The Unkissed Man—All Star.....	Apr. 27
Fast Freight—Our Gang.....	May 4
Unaccustomed As We Are (AT)—Laurel Hardy.....	May 4
Movie Night—Chase.....	May 11
Hurdy Gurdy (AT)—All Star.....	May 11
Double Whoopie—Laurel-Hardy.....	May 18
Small Talk (AT)—Our Gang.....	May 18
Thundering Toupees—All Star.....	May 25
The Big Squawk (AT)—Chase.....	May 25

Paramount—One Reel

Koko's Reward—Inkwell Imps.....	Feb. 23
Vanishing Screams—Krazy Kat.....	Mar. 2
Koko's Hot Ink—Inkwell Imps.....	Mar. 9
A Joint Affair—Krazy Kat.....	Mar. 16
Koko's Crib—Inkwell Imps.....	Mar. 23
Sheepskinned—Krazy Kat.....	Mar. 30
Koko's Saxaphonies—Inkwell I mps.....	Apr. 6
The Lone Shark—Krazy Kat.....	Apr. 13
Koko's Knock-Down—Inkwell Imps.....	Apr. 20
Torrid Toreadors—Krazy Kat.....	Apr. 27
Koko's Signals.....	May 4
Golf Socks—Krazy Kat.....	May 11
Koko's Focus—Inkwell Imps.....	May 18
Petting Larceny—Krazy Kat.....	May 25
Koko's Conquest—Inkwell Imps.....	June 1
Hat Aches—Krazy Kat.....	June 8
Koko's Harem Skarem—Inkwell Imps.....	June 15
Fur Peace—Krazy Kat.....	June 22
Koko's Big Sale—Inkwell Imps.....	June 29
Auto Suggestion—Krazy Kat.....	July 6
Koko's Hypnotism—July 13.....	July 13
Sleepy Holler—Krazy Kat.....	July 20
Chemical Koko—Inkwell Imps.....	July 27

Paramount—Two Reels

His Angel Child—Vernon.....	Feb. 16
Off the Deck—Dooley.....	Feb. 23
Are Scotchmen Tight?—MacDuff.....	Mar. 2
Tight Places—Chorus Girl.....	Mar. 9
Turn Him Loose—Vernon.....	Mar. 16
Crazy Doings—Dooley.....	Mar. 23
Single Bliss—MacDuff.....	Mar. 30
Reckless Rosie—Chorus Girl.....	Apr. 6
Sappy Service—Vernon.....	Apr. 13
Rough Dried—Dooley.....	Apr. 20
Love Spats—MacDuff.....	Apr. 27
Stage Struck Susie—Chorus Girl.....	May 4
Dear Teacher (TF)—Act.....	May 4
When Caesar Ran a Newspaper (TF)—Christie.....	May 11
After Seben (TF)—Barton (Col.).....	May 18
Hot Lemonade (TF)—Christie.....	May 25
Two Americans (TF)—Huston-Act.....	June 1
Off in the Silly Night (TF) (Col.)—Christie.....	June 8
Rodgers and Hart (TF)—Act.....	June 15
Dear Vivian (TF)—Christie.....	June 22
Melting Pot (TF) (Tent)—Act.....	June 29
Her Husband's Women (TF)—Christie.....	July 6
Pals Is Pals (TF)—Barton-Act.....	July 13
Faro Nell (TF)—Christie.....	July 20
Garden of Kama (TF) (Tent)—Act.....	July 27

Pathe—Two Reels

Ladies Must Eat—Sennett-J. Burke	Mar. 3
No Children—Smitty	Mar. 10
Foolish Husbands—Sennett	Mar. 17
The Rodeo—Sennett De Luxe	Mar. 24
At the Dentist's (ATDF)—LeMaire	Mar. 24
Matchmaking Mamas—Sennett-Girls	Mar. 31
Watch My Smoke—Smitty	Apr. 7
Taxi Dolls—Sennett-Cooper	Apr. 14
Pink Pajamas—Sennett-Bevan	Apr. 21
Dancing Around (ATDF)—LeMaire	Apr. 21
Nightwatchman's Mistake—Sennett-Burke	Apr. 28
Tomato Omelette—Smitty (reset)	May 5
The New Aunt—Sennett-Deluxe	May 12
Don't Get Jealous—Sennett	May 19
Her New Chauffeur (ATDF)—LeMaire	May 19
Puckered Success—Smitty	June 2
Caught in a Taxi—Sennett-J. Cooper	June 9
Motoring Mamas—Sennett-B. Bevan	June 16
What a Day (ATDF)—LeMaire	June 16
A Close Shave—Sennett-J. Burke	June 23
Uncle's Visit—Smitty	June 30

RKO—One Reel

13-91613 Orienta	Mar. 13
91614 Nifties	Mar. 27
15-91615 Odds and Facts	Apr. 10
91616 Faces (reset)	Apr. 24
91617 Here and There	May 8
91618 Follies of Fashion	May 22
91619 Odds and Ends	June 4

RKO—Two Reels

Mickey's Menagerie—Mickey McGuire	Mar. 17
Neigh, Neigh, Spark Plug—Barney Google	Mar. 24
Toots' Big Idea—Toots and Casper	Mar. 31
Mickey's Last Chance—McGuire	Apr. 14
A Horse on Barney—Barney Google	Apr. 21
Spareribs Reforms—Toots and Casper	Apr. 28
Mickey's Brown Derby—McGuire	May 12
Just a Stall—Barney Google	May 19
His Wife's Secret—Toots and Casper	May 26
Mickey's Northwest Mounted—Mickey McGuire	June 9
The Pace That Thrills—Barney Google	June 16
Who's the Boss?—Toots and Casper	June 23
Mickey's Initiation—Mickey McGuire	July 7
Slide, Sparky, Slide—Barney Google	July 14
Don't Say Ain't—Toots and Casper	July 21

Universal—One Reel

Just Monkeys—Laemmle Novelty	Mar. 12
Suicide Sheiks (S)—Oswald (reset)	Mar. 18
Love and Sand—Lake	Mar. 25
Alpine Antics (S)—Oswald	Apr. 1
Prodigal Pups—Laemmle Novelty	Apr. 8
Lumberjack (S)—Oswald	Apr. 15
The Knight Watch—Arthur Lake	Apr. 22
Fishing Fools (S)—Oswald	Apr. 29
Wash Line Romance—Laemmle Novelty	May 6
Stage Stunts (S)—Oswald	May 13
Cleaning Up—Arthur Lake	May 20
Stripes and Stars—Oswald	May 27
A Half Holiday—Laemmle Novelty	June 3
The Wicked West (S)—Oswald	June 10
Society Circus—Arthur Lake	June 17

Universal—Two Reels

She's a Pippin—Mike and Ike	Mar. 13
Newlywed's Holiday—Newlywed	Mar. 20
Seeing Sights—Let George Do It	Mar. 27
Tige's Girl Friend—Buster Brown	Apr. 3
This Way, Please—Mike and Ike	Apr. 10
Newlyweds in Society—Newlywed	Apr. 17
Private Business—Let George Do It	Apr. 24
Magic—Buster Brown	May 1
Finishing School—Mike and Ike	May 8
Newlywed's Excuse—Newlywed	May 15
Close Shaves—Let Geo. Do It	May 22
Delivering the Goods—Buster Brown	May 29
Chaperons—Mike and Ike	June 5
Newlyweds Camp Out—Newlywed	June 12
Hot Puppies—Sid Saylor	June 19

NEW YORK RELEASE DATES OF THE DIFFERENT NEWS WEEKLIES

Fox

65 Odd Number	Wednesday, May 8
66 Even Number	Saturday, May 11
67 Odd Number	Wednesday, May 15
68 Even Number	Saturday, May 18

69 Odd Number	Wednesday, May 22
70 Even Number	Saturday, May 25
71 Odd Number	Wednesday, May 29
72 Even Number	Saturday, June 1
73 Odd Number	Wednesday, June 5
74 Even Number	Saturday, June 8
75 Odd Number	Wednesday, June 12
76 Even Number	Saturday, June 15
77 Odd Number	Wednesday, June 19
78 Even Number	Saturday, June 22

Metro-Goldwyn-Mayer

77 Odd Number	Wednesday, May 8
78 Even Number	Saturday, May 11
79 Odd Number	Wednesday, May 15
80 Even Number	Saturday, May 18
81 Odd Number	Wednesday, May 22
82 Even Number	Saturday, May 25
83 Odd Number	Wednesday, May 29
84 Even Number	Saturday, June 1
85 Odd Number	Wednesday, June 5
86 Even Number	Saturday, June 8
87 Odd Number	Wednesday, June 12
88 Even Number	Saturday, June 15
89 Odd Number	Wednesday, June 19
90 Even Number	Saturday, June 22

Kinograms

5498 Even Number	Wednesday, May 8
5499 Odd Number	Saturday, May 11
5500 Even Number	Wednesday, May 15
5501 Odd Number	Saturday, May 18
5502 Even Number	Wednesday, May 22
5503 Odd Number	Saturday, May 25
5504 Even Number	Wednesday, May 29
5505 Odd Number	Saturday, June 1
5506 Even Number	Wednesday, June 5
5507 Odd Number	Saturday, June 8
5508 Even Number	Wednesday, June 12
5509 Odd Number	Saturday, June 15
5510 Even Number	Wednesday, June 19
5511 Odd Number	Saturday, June 22

International

37 Odd Number	Wednesday, May 8
38 Even Number	Saturday, May 11
39 Odd Number	Wednesday, May 15
40 Even Number	Saturday, May 18
41 Odd Number	Wednesday, May 22
42 Even Number	Saturday, May 25
43 Odd Number	Wednesday, May 29
44 Even Number	Saturday, June 1
45 Odd Number	Wednesday, June 5
46 Even Number	Saturday, June 8
47 Odd Number	Wednesday, June 12
48 Even Number	Saturday, June 15
49 Odd Number	Wednesday, June 19
50 Even Number	Saturday, June 22

Pathe

40 Even Number	Wednesday, May 8
41 Odd Number	Saturday, May 11
42 Even Number	Wednesday, May 15
43 Odd Number	Saturday, May 18
44 Even Number	Wednesday, May 22
45 Odd Number	Saturday, May 25
46 Even Number	Wednesday, May 29
47 Odd Number	Saturday, June 1
48 Even Number	Wednesday, June 5
49 Odd Number	Saturday, June 8
50 Even Number	Wednesday, June 12
51 Odd Number	Saturday, June 15
52 Even Number	Wednesday, June 19
53 Odd Number	Saturday, June 22

Paramount

82 Even Number	Wednesday, May 8
83 Odd Number	Saturday, May 11
84 Even Number	Wednesday, May 15
85 Odd Number	Saturday, May 18
86 Even Number	Wednesday, May 22
87 Odd Number	Saturday, May 25
88 Even Number	Wednesday, May 29
89 Odd Number	Saturday, June 1
90 Even Number	Wednesday, June 5
91 Odd Number	Saturday, June 8
92 Even Number	Wednesday, June 12
93 Odd Number	Saturday, June 15
94 Even Number	Wednesday, June 19
95 Odd Number	Saturday, June 22

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Columns, if It is to Benefit the Exhibitor.

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No. 22

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HARRISON'S REPORTS SUBSCRIBES TO THIS!

Another important bit of advice to exhibitors that is contained in the May Bulletin of Associated Theatre Owners of Indiana is the following:

"When you buy First National or Warner Bros. films for sound add this clause to the contract: 'In the event that this exhibitor is unable to get together for the sound effects or dialogue for these subjects, then this contract shall be null and void between the parties hereto.' Such a clause will keep you from being hooked for sound prices for silent prints in the event that you cannot get together with the Vitaphone representative for the sound rights and records for such subjects. As it now stands, in the absence of such a clause, you are out of luck if you and the Vitaphone representative fail to make a deal."

Sound advice, indeed, and the kind that should be heeded by every "wired" exhibitor that wants to buy Warner Bros. and First National films.

Since there may arise occasions that will make it necessary for you to negotiate the contract for the score through the mails, in order to protect yourself, you might improve the provision in question as follows:

"This contract shall be considered null and void unless a contract for the rights to the score and to the records for all pictures contained herein is entered into between the undersigned and the Owners of the rights to said score and records. The application to such score and records shall be subject to all the provisions of the Twenty-second Clause of the Standard Exhibition Contract, which refer to the acceptance of the application by the Distributor, it being understood that the time limit of the contract for the score shall run concurrently with the time limit for this contract."

A better way for you to enter into a contract for talking or sound pictures, when you are sent to another company to obtain the rights to the score, is to make a "unit" price for the rights to pictures, score and records, and let the distributor himself determine how much of it should go to the company that owns the rights to the score. Remember that the royalty pro rata paid to the American Association for each booking is between twenty cents and one dollar, and that each wax record costs, after all rebates are deducted at the end of the year, sixty cents.

AGAIN ABOUT THE EXTORTIONATE SCORE CHARGES

Last week, in computing the royalty pro rata for each theatre, I said, "This makes 250,000 exhibitions." This was a typographical error; it should have read, "This makes 250,000 bookings". Bear this in mind, for there is a great deal of difference between bookings and exhibitions.

Since last week I have had an opportunity further to confirm my theory that the royalty pro rata for each booking is no higher than a sum of money ranging between forty cents and one dollar. In some instances, it is even lower than forty cents. Take, for instance, Warner Bros., Paramount Famous Lasky, Fox, First National or Metro-Goldwyn-Mayer; the number of exhibitors each of these companies serves is around eight thousand. Suppose Fox, for example, should produce sixty pictures next season. This will make a total of 480,000 bookings. Dividing \$100,000, the amount of money paid by Fox, just as it is by every producer,

to the American Society of Composers, Authors and Publishers, we find that the royalty pro rata for each booking is only twenty-three cents. Now, if your talking picture instrument should be fitted with a sound-on-film attachment, twenty-three cents should be the amount you should pay for the rights to the score; if it should not be so fitted, being able to show only pictures with sound-on-disc, then you should figure 60c additional for each record, this price being the actual cost of the records. You might add fifteen cents on each record to cover the added expense to the producer for handling the records and for his investment. Anything paid to the distributor in excess of such an amount is profiteering, and may force the American Association of Authors, Composers and Publishers to find a means of raising their charges to the producers. And no one would blame them for that, for if the producers should use this royalty as a pretext to profiteer on you and thus get rich on the brain work and the labor of other people, they would be entitled to part of what the producer-distributors exact from you. So take care lest you be the cause of additional charges for royalties.

The excuse the producers give you to the effect that it costs them a great deal of money to hire an orchestra and to pay for the sheet music is all bosh; last week I sat down with a person who is in a position to know and we figured out that three thousand dollars is the average amount paid for such work. Only in rare occasions is this amount exceeded. In musical comedies, for example. But whatever the extra cost for these pictures may be, it is more than offset by the fact that no extra footage is taken; the picture is photographed almost in the finished form.

The elimination of waste takes care also of the extra time required for the rehearsals.

Let me impress upon you the fact that talking pictures cost less to produce than silent pictures, and you should not pay more for them, except for an occasional picture that makes a hit and draws; when you are compelled to buy pictures in a block, don't pay one cent more than you paid for silent pictures, adding only the cost of records.

AGAIN ABOUT "GENTLEMEN OF THE PRESS"

There is one angle that I overlooked criticising in "Gentlemen of the Press"; it is about the fact that a young woman dies while giving birth to a child.

Women that are about to become mothers usually visit motion picture theatres to take their minds away from the coming ordeal. Imagine the horror these will feel when they see a woman dying during the birth of her child. It is cruel; it is inhuman to let such women see this picture. And it is more inhuman yet for any one to make such a picture.

Most producers in Hollywood and even elsewhere seem to have lost their sense of proportion. Living in a secluded world, a world moved by different thoughts, and actuated by different emotions, they have cut off communications with the outside world. Hence such pictures.

It has been said before in these columns that, unless the industry reforms itself from within, reformation will come from without. And woe be to the producers if they should let things come to such a point.

The Brookhart Bill can remedy this situation. Fight for it!

"The Man I Love" (ATF)—with Richard Arlen, Baclanova and Mary Brian

(Paramount, May 25; 6,669 ft.; Sil. 6,524 ft.)

Mediocre! There is no originality at all in the construction of the plot. And this kills the effectiveness of the emotional situations. The lack of originality is noticeable particularly in the ring, where the hero, heartbroken because his wife had left him as a result of his misbehavior, fights the champion heartlessly and is about to lose the fight when his manager tells him that his wife had not deserted him but that she was in town, listening over the radio. All at once the hero revives and knocks his opponent out. A twist such as this has been used so often in prize fights that it makes the average spectator laugh at it. There is some human appeal here and there, but the plot is ordinary.

The story deals with a college-bred prize fighter (hero) who marries a young woman (heroine). They come to New York because he believes that it is in this city where his future lies. At a gymnasium he knocks down the champion, with whom he was sparring, and is booked for a fight forthwith. A beautiful baroness sees him and becomes infatuated with him. She invites him to her home and makes love to him. Having been introduced into society, the hero neglects his wife. He takes to drinking. His rival telephones the hero's wife informing her of the hero's whereabouts and his condition. The heroine goes to the home of the baroness and takes the intoxicated hero home. She then leaves him. When he wakes up in the morning and finds his wife gone, he is heartbroken. But he decides to make good so as to win back her love. He is booked to fight the champion. But he is so worn out from worry over the loss of his wife that he fights without any heart. He is about to be beaten when the manager informs him that his wife is listening over the radio. He knocks out the champion in the following round.

Herman J. Mankiewicz wrote the story, William Wellman directed it. The talk is intelligible only that the Western Electric sound projection system makes the characters talk through their noses. Harry Green, Jack Oakie, Pat O'Malley, Leslie Fenton, Charles Sullivan and William Vincent are in the cast.

"Trent's Last Case" (SF)—with Donald Crisp, Marceline Day and Raymond Griffith

(Fox, Mar. 31; syn. 5,834 ft.; sil. 5,809 ft.)

Not a bad mystery melodrama. While the theme is morbid, the picture is well directed and acted. The spectator is kept in suspense in that the local detective and a criminologist suspect each member of the villain's household in a murder, eventually proving their innocence.

The villain is hated by his wife (heroine), who married him to pay off a family debt. He is a cripple and his mind is twisted from having read countless murder stories. He suspects the heroine of unfaithfulness with his secretary (hero). He is told directly and indirectly by the heroine, by her uncle and even by the butler and by the maid that each would like to kill him, and he overhears the

hero telling the heroine that he is willing to kill him (the villain) for her sake. He plans to commit suicide in such a way that the hero would be accused of his murder and so be hanged for the crime. The detectives and the criminologist, after eliminating everyone else, almost prove that the hero had committed the crime when the heroine's uncle confesses that he had witnessed the suicide when he attempted to prevent the villain from shooting himself, thus causing the freeing of the hero.

Aside from the farcical role portrayed by the criminologist, the picture is rather serious and somber. Donald Crisp gives an excellent performance as the insidious and insanely jealous husband. Raymond Griffith is good, too, as the piano-playing criminologist who became disgusted at his inability to solve the crime, making it his last case. Marceline Day is a charming heroine and Lawrence Gray is a pleasing hero. The others who round out the cast and who do good work are Raymond Hatton, as the uncle; Nicholas Sussanin, as the butler; Anita Garvin, as the maid; and Ed Kennedy, as the bungling, bullying detective.

Howard Hawks directed it from the novel by E. C. Bentley.

N.B.—The synchronization means nothing to the picture, as it is only a musical accompaniment.

"Movietone Follies" (ATFDN)—with Special Cast

(Fox, May 25; 6,669 ft.; time, 74 minutes)

This is, as the title indicates, a musical comedy, with plentiful singing and dancing, and with stage settings that are beautiful and impressive. As to the story, it is slight. It deals with a young Southerner who sells his home and comes to New York to induce his sweetheart to marry him. But she would not give up her job as a chorus girl. In desperation, he offers to buy out the show. The crooks that owned it grasp the opportunity to fleece the hero out of his fifty thousand dollars for a half interest in the show, knowing that it would fail anyway. As soon as he takes possession he discharges the heroine, hoping that in this manner he would force her to marry him. But the heroine insists upon going on with her work. The hero puts some life into the show and makes such a success of it that the crooks buy it back from him with a profit. The heroine then agrees to marry him and to go back to Virginia.

Stepin Fetchit, the negro player who had received good notices for his work in "Heart of Dixie," again distinguishes himself. At one time he is called upon to do a dancing number, filling the place of the regular dancer, who had not appeared at the theatre on time; his feet move like lightning. The singing is excellent. The direction and the acting are first class. There is a scene in technicolor; it is very beautiful but hardly appealing to the masses. Lola Lane, Sharon Lynn, De Witt Jannings, Sue Carol, David Rollins, Arthur Stone, and many others are in the cast.

It is an entertainment for cultured picture-goers, but it is hardly good enough for the masses. It may appeal to just about twenty-five per cent of the picture-goers.

**"The Cocoanuts" (ATFN)—with
Marx Brothers**

(Param., Fall release; 8,613 ft.; time, 95½ min.)

There is hardly any plot to this picture, but it is a first-rate entertainment just the same. Most of the laughs are caused by wisecracking and by "kidding." One of the Marx Brothers, Groucho, provokes many laughs by his unconquerable desire for talking, his flow of language resulting in much nonsense. The audience at the Rialto roared when his efforts to make a speech would lead him to a "blind alley"; he would extricate himself by ending his talk with more nonsense. More laughs are provoked when another of the brothers is seen eating the telephone mouthpiece to appease his hunger. Oscar Shaw and Mary Eaton supply the love interest. Considerable sympathy is won by Miss Eaton, who takes the part of the young woman with whom Mr. Shaw was in love; she does not lose faith in Mr. Shaw when he is accused of having stolen a valuable bracelet, but is willing to marry him and to follow him despite the antagonism of her mother, who wanted her to marry a wealthy man. There is some comedy provoked by some chases around the rooms, in the fashion of bedroom farce comedies.

The picture is a reproduction of the Ziegfeld musical comedy of the same name, which was based on the book by George S. Kaufman. It was directed skillfully by Robert Florey and Joseph Stanley. The sound recording was done well, and the sound reproduction is pretty good when one considers the apparatus through which the sound is projected at the Rialto, where the picture is now showing. The acting, too, is very good.

It should please everywhere.

**"The Black Watch" (ATFDN)—with
Victor Maclaglen**

(Fox, May 26; 8,487 ft.; time, 98½ minutes)

From the point of view of production, "The Black Watch" is as good as one could desire it; from the point of view of entertainment, however, it is not good. While the interest is held fairly alive all the way through, there is nothing shown that would appeal deeply to the emotions of sympathy or that would hold one in tense suspense. The first part of it shows the hero attached to a regiment of highlanders, ready to embark for France. The hero is sent for by one of his superiors and is told to go to India among certain Mohammedan tribes to stop a contemplated Holy War. It was hard for the hero to leave his regiment because he was the son of a proud Scotch family and he did not want it said that he was a slacker; his mission made it impossible for him to give any explanations. He goes to India. The hero pretends to be intoxicated and strikes a fellow-officer. The officer purposely falls down and it is made to appear as if he had struck his head against a sharp point and been killed. The hero pretends to have escaped from prison and goes to the lair of the conspirators. Their leader, a woman, is convinced that he is a fugitive from justice and is sent by her to the mountains, to the region where her army was preparing for the attack. With the aid of Hindus, faithful to the British Government, the hero is able to blow up their munitions and to prevent the uprising by mowing down some of the

revolutionists with machine gun bullets. The leader of the revolutionists is shot and killed by her followers, who had thought that she betrayed their cause.

There is some suspense in the scenes where the hero is shown amidst the Mohammedan Hindu revolutionists.

Talbot Mundy's novel, "King of the Khyber Rifles," has furnished the plot. The picture has been directed by John Ford with skill. The recording of the talk has been done well. Myrna Loy is the heroine. David Rollins, Lumsden Hare, Roy D'Arcy, Cyril Chadwick, Walter Long, David Torrence, Pat Somerset and others are in the cast.

Not a good two-dollar entertainment, and only fair at regular prices.

**"Where East Is East" (SD)—with
Lon Chaney**

(M-G-M, May 4; Syn. and Sil., 6,270 ft.)

Not a good entertainment! The endeavor of the producers to find suitable material for Mr. Chaney has led them to accept all kinds of gruesome stories. In "Where East Is East," the main feature is the hero's letting loose of a gorilla on his ex-wife, mother of the heroine, tearing her to pieces. The actual killing is not, of course, shown; it is only implied. But the thought is there. And it is an unpleasant thought. In the beginning of the picture there are one or two exciting scenes between men and wild animals.

The action unfolds in Indo-China, and deals mainly with the efforts of the hero (Lon Chaney) to prevent his ex-wife (Estelle Taylor), a woman of loose morals, from enticing the young man (Lloyd Hughes), who was engaged to his daughter (Lupe Velez). The ex-wife, who had left the hero while their daughter was still a baby, wanted to get revenge on the hero by breaking the heart of what was most precious to him in life, and consequently his own heart. The hero pleads with his ex-wife to leave the young man alone, and failing, he lets a gorilla loose; he tears her to pieces. The heroine, hearing the screams of her mother, begs her father to save her. But he is too late; he himself is bitten by the gorilla and dies after the marriage of his daughter to the young man she loved.

The story was written by Tod Browning and Sinclair Drago; it was directed by Tod Browning.

"One Splendid Hour"—with Viola Dana

(First Div.-Excellent, May 15; 6,101 ft.; 70 to 87 min.)

Poor! It is a sordid, immoral drama, though its object seems to be a preachment to the wild younger generation, to the effect that thrill seekers frequently get more trouble than pleasure out of their adventures. Miss Dana is miscast as the refined Senator's daughter, who could be so vulgar as to lower herself to go to an immoral house and to suffer insulting proposals from a cafe hanger-on in order to meet the man she fell in love with at first sight.

Burton King directed it from a story by Isadore Bernstein. Others in the cast are George Periolet, as the Senator; Allen Simpson, as the doctor; and Lewis Sargent, as the girl's wager-making boy friend.

Not a picture for children or for families.

MISCELLANEOUS SUBSTITUTIONS, No. 2

Columbia

"THE DONOVAN AFFAIR": Not a substitution.
 "FATHER AND SON": "Father Love" was the original title of this picture. It is not a substitution.
 "THE BACHELOR GIRL": No facts were given in the Columbia literature last year to enable one to determine whether it is or it is not a substitution.

First National

"HOUSE OF HORROR" (506): "Sh! The Octopus" is supposed to have been the original title of this picture, but it is not the same story, for the reason that "Sh! The Octopus" was to be the stage play by Ralph Murphy and Donald Gallaher, whereas "House of Horror" has been founded on a story by Richard Vee. It is not the picture you bought and therefore you are not obligated to accept it.

"HOT STUFF" (503): Not a substitution.

"TWO WEEKS OFF" (499): Not a substitution.

"PRISONERS" (479): "Paid For" is supposed to have been the original title of this picture but one cannot determine whether it is or it is not a substitution for the reason that no facts about it were given in the literature.

"THE SQUALL" (554): Not a substitution.

"CAREERS" (487): "The Heart of a Princess" is supposed to have been the original title of this picture, but it is not the same story for the reason that "The Heart of a Princess" was to have been founded on a story by Maxim Alton, and was to be the story of a Russian Princess, who escapes danger to become a star in the New World, whereas "Careers" has been founded on the play by Alfred Schirokauer and Paul Rosenhayn, and deals with a wife's attempts to help her husband win promotion, becoming entangled in a scandal and a murder but eventually proving her innocence. It is a story and author substitution and you are not obligated to accept it.

"THE GIRL IN THE GLASS CAGE" (498): This picture, with the same production number, was to be one of the Dorothy Mackaill series. It was to have been written by George Kibbe Turner. The story of the finished product is by the same author, well enough, but Loretta Young has been substituted for Dorothy Mackaill. It is a star substitution, therefore you are not obligated to accept it.

"BROADWAY BABIES" (505): "On The Air" is supposed to have been the original title of this picture, but it is not the same story for the reason that "On the Air" was to be a story by Paul D. Augsberg, whereas "Broadway Babies" was written by Jay Gelder, and is the story of a dancer and of racketeers. A murder figures in the story.

"THE MAN AND THE MOMENT" (555): Those whose contracts contain "La Tosca" as No. 555 are not obligated to accept "The Man and the Moment" for the reason that "La Tosca" was to have been founded on the famous Opera by Victorien Sardou, whereas "The Man and the Moment" is by Elinor Glyn.

"THE DRAG" (483): "Diversion" is supposed to have been the original title of this, but it was to be founded on the stage play by John Van Druten, whereas "The Drag" has been written by Dudley Pelley, being a newspaper story, dealing with a domestic drama. It is a story substitution and you are not obligated to accept it.

* * *

I have not been able to discover any substitutions in the other producers' pictures.

ABOUT THE FOX ALL-TALK SIX

In the article, "The Five New All-Talk Fox Pictures," which appeared in the May 18 issue, I advised those of exhibitors that asked my opinion as to their quality, that I had not seen them and that they had to use their own judgment whether they should buy them or not. (The number should be six—I omitted the "Movietone Follies.")

Last week I saw two of the six—"Black Watch," and "Movietone Follies"; the former is being shown at the Gaiety, at \$2.00 top, and the latter at the Roxy.

After seeing them, I realized what a wise thing I did to advise you to weigh the promises Fox made in

the past and his "performances"; for "The Black Watch" is not a good picture, and "Movietone Follies" is not a picture that will appeal to the masses.

There is, however, one thing that in justice can be said about these pictures; they have been produced by Fox with the greatest care a producer could exercise. The direction, the acting, the photography, the music in "Movietone Follies"—all are excellent. But neither picture is a good entertainment.

TIFFANY-STAHL ATTITUDE

Tiffany-Stahl has not yet sent me a release schedule, and from this I am led to believe that they have several substitutions and are trying to avoid giving me the means by which I could analyze them so as to advise you of the fact.

In my experience as a publisher of Harrison's Reports, I have found that the small fellows become more oppressive than the big fellows if they get an opportunity. And an opportunity presents itself to them every time they have a fair picture; they demand three times as high rentals as the big fellows demand for pictures of even better quality. This prompts me to make this suggestion: buy no pictures from a little fellow just because he is little; buy them from him who has good pictures and gives you decent treatment.

When the Tiffany-Stahl salesman comes around to talk to you about old as well as new product, give him a piece of your mind. It is the only way for you to make Tiffany-Stahl respect your rights.

WHEN YOU DON'T SEE EARLY REVIEWS FOR SOME PICTURES IN HARRISON'S REPORTS

I have often stated in these columns that the reason why some producers play some of their pictures in many parts of the country and not in New York City until several weeks and often months after their release is their desire to avoid harmful criticism. Up to this time I had no evidence of it; I merely reasoned it out. Last week, however, a second-rank executive of one of the big companies inadvertently made an admission to me that such is the reason.

The Fox Film Corporation is one of those companies that releases their pictures in other parts of the country weeks before it releases them in this city. "Trent's Last Case," released nationally March 31, "The Veiled Woman," April 14, "The Woman from Hell," April 21, "The Far Call," April 28, "Joy Street," May 5, "Protection," May 12 and "Masked Emotions," May 19, are pictures that have not yet been released in this city. "The Valiant," whose national release is May 12, Fox has released on time, at the Roxy, because it is a good picture.

Another company that holds pictures back in this zone is Metro-Goldwyn-Mayer. One of the pictures it has held back was, "The Bridge of San Luis Rey"; it released it at the Capitol on May the 18th, even though it released it nationally on March 30. In the past it held many poor pictures away from New York, releasing them in many other parts of the country first.

Whenever you fail to see reviews of pictures from important concerns in these columns, bear in mind that it is not my fault, for I review every such picture as soon as it is shown in this city.

There is always a reason why those of the producer-distributors who own first-run theatres in this city hold back pictures! And in nine cases out of ten the reason is the poor quality of such pictures.

If your business depends on good pictures, when you don't see in these columns a review of a particular picture that belongs to a theatre-owning producer-distributor, insist upon a review before booking it. Remember that I shall be only too glad to review a picture if I should be invited to do so. You should demand a review. You are entitled to it. In other businesses, extreme courtesy is shown to a customer that does not spend even one hundredth part the amounts of money that you spend. Therefore, you deserve at least an equally courteous treatment. Who has ever heard of a tailor trying to sell a suit of clothes without showing it to the customer or to his representative?

Of course, it is physically impossible for me to review all feature pictures, but I can review all the important feature pictures.

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More About Those Extortionate Score Charges

In discussing the royalty pro rata for each picture to each booking last week, I based my calculation on the minimum charge the American Association of Composers, Authors and Publishers makes to each producer. The regular charge for the first two years is, as said in the issue of May 25, 2½c for each seat for the first two years of a five-year contract. Let us now see what the tax would be on the basis of the per seat charge:

If your theatre has, say, one thousand seats and you bought from a single producer, let us say, fifty-two features, to be used in one year, your tax would be twenty-five dollars a year, or fifty cents per booking. So whether we figure the royalty charge on the seating capacity or on the minimum yearly charge, the cost to you should not be more than one dollar for each booking, if you buy your pictures from small producers, or fifty cents, if you buy them from big producers. You well realize, then, how much profiteering is being done by the producer-distributors on the charges for score.

The matter of the cost of the discs requires further treatment: In the two articles about this matter, printed in the preceding two issues, I stated that the actual cost of each disc, after all rebates are deducted, is sixty cents, advising you to add fifteen cents to the price of each disc to take care of the expense of handling and to leave the producer a small profit for his investment. But that calculation was based on the assumption that the discs were brand new. I now learn from C. M. Hartman, of Carnegie, Oklahoma, that the discs sent to the exhibitors are not only not new, but as a rule have been used more than they should have been used—often more than twenty times, trickery being resorted to in order to make the exhibitor think that such “abused” records are new. Here is what Mr. Hartman writes:

“I have been receiving records from the Vitaphone Corporation that have been used but have new labels pasted on them showing none of the ‘times played’ marked. Both sets being this way, it was hard to determine which was the least played set. However, I have found a way which I wish to pass on to the rest if any are having the same trouble. By wetting the finger slightly with turpentine and rubbing over the label where the original squares were the upper level becomes transparent and the markings can be seen.

“I have received records from them where they had been used twenty times and sometimes more, yet one of their sales arguments for a higher price than most was the fact that they only used them twenty times while some companies who sold cheaper used them forty. Now I am wondering how much two times twenty is! This talking picture business has changed even arithmetic. I have taken this up with the company but haven’t received a reply yet.”

On a basis of old records, the amount of money you should figure out for records should be naturally less, such an amount depending on the times the records were used. If they were used twenty times, as Mr. Hartman has found out upon investigation, then you should not pay more than twenty cents for each record. In such an event, the fourteen records of a seven reel feature should not cost you more than \$2.80, or \$3.80 for the score during the entire engagement, the additional dollar being for royalty for the recording of the music.

But under no circumstances should you use records that have been used more than twelve times. To do so would endanger your business, for the disc system of

sound recording and reproducing is bad enough when new records are used, let alone when the records are old.

My suggestion to all those of you that use disc records for talking pictures, or for producer-synchronized pictures, is to draw a line across the record with a sharp instrument if the number of times that a record has been used, after ending your own engagement, is more than fifteen times, thus rendering them useless. I would also suggest that, in signing a contract for dialogue or for synchronized pictures, you insert the following provision:

“The distributor agrees to furnish two sets of records, one set to be with the manufacturer’s seals unbroken and the other set to have been used no more than eight times.”

In case you want three sets of records, then neither of the two old sets should have been used more than eight times each. In such an event, the provision might be made to read as follows:

“The Distributor agrees to furnish three sets of records, one set to be with the manufacturer’s seals unbroken, and the other two sets to have been used no more than eight times each.”

Small exhibitors that may see fit to use used records should not pay for the score more than five dollars for the entire engagement.

Let us again figure out the score charges in case the sound is on the film:

As said in last week’s article, the production of talking pictures does not, as a rule, cost more than the silent pictures, for the reason that there is hardly any waste in producing talking pictures. The director can no longer shoot scenes by the “cut and try” method; the scenario is in finished form, and the picture must be directed strictly in accordance with the directions of the scenario.

Time is, of course, used in the rehearsals. But however long such time is, it does not, as a rule, exceed the cost of the extra shooting in the “silents,” and often the cost is much less. It is only in such pictures as “Broadway Melody,” “On With The Show,” “Broadway,” and in a few others that the cost of production may exceed, scene for scene, the cost of the “silents.” (In “On With The Show,” the cost was, of course, augmented because it was photographed in technicolor.) So when you buy sound-on-film talking pictures in block and blind form, you should not pay more than twenty-five per cent of what you used to pay for silent pictures, this increase to include also the so-called “synchronization” fees, which Harrison’s Reports calls “The graft fees.” Of course, the matter differs when “legitimate” two-dollar pictures are concerned; then you have to use judgment.

IS THIS THE ANSWER TO THE TIFFANY-STAHl QUESTION?

Why does Tiffany-Stahl refuse to give your representative its latest release schedule? Have its executives anything to hide? Have they made substitutions and they do not want Harrison’s Reports to expose them?

Their attempt to take “Lucky Boy” away from you was prevented by the exposures this paper made. And they know that, if they have more substitutions, they will be exposed in these columns. Perhaps this is the answer to the question.

"China Bound"—with Karl Dane and George K. Arthur

(M-G-M; May 18; 5,632 ft.; 66 to 81 min.)

While it is not as comical as some of the other pictures with this team, yet those who enjoy their style will get a few good laughs. And if the house should be full it should prove more laugh-provoking than if it should be half empty. There is so little story that it becomes tiresome because of so much repetition. Both Mr. Dane and Mr. Arthur work hard and give their usual good performances. And for a change they are pals instead of enemies. Not a little of the fun is contributed by that veteran comedienne, Polly Moran, who takes the part of a maid. Josephine Dunn is a sweet heroine and Carl Stockdale is competent as her father.

The heroine's father, learning that his daughter is in love with the hero, who is a clerk in his shop, takes her and her maid on a business trip to China. The hero attempts to give her a bouquet but is unable to reach her on the boat. He climbs on a pile of coal and is dumped into the boat and dug out by the burly stoker, who at first torments the hero. But when he learns that his own long-lost sweetheart is on board, he aids the hero in his efforts to locate his sweetheart. They land disguised as Chinamen and are chased both by the troops and the revolutionists. All is forgiven when the hero and the stoker rescue the heroine, her father and the maid from the unwelcome attentions of the revolutionist leader.

Charles Reisner directed it from the story by Sylvia Thalberg and Frank Butler.

"The Far Call" (SF)—with Charles Morton and Leila Hyams

(Fox; April 28; syn. 5,313 ft., sil. 5,282 ft.)

A fair program picture. Like most Fox pictures, the hero is a crook (a fur poacher, this time,) who plans a daring robbery. But he calls it off at the last minute because he had fallen in love with the heroine. It is full of action, such as Shanghai waterfront dive fights with rival gangs, pirate battles and gun play, with a hardboiled pirate crew in a somewhat familiar sea-drama story. Also the shots of the seal rookeries and their breeding place in the Pribilof Islands lend interest to it and the sound effects enhance its entertainment value.

The story revolves around a gang of fur poachers who planned to rob the hatcheries of the U. S. Government by raiding the island in a pirate ship. The hero is forced to take along his enemy (villain), leader of a rival gang to protect himself. Arriving at the island, he meets the heroine, daughter of the commandant, and both fall in love with each other. She awakens his manhood by unfolding to him his life's history and he learns that he is the son of the island's hero instead of the sea-captain who had raised him. He then decides to call off the raid but his enemy makes the crew carry out the original plans. The hero, the officers and natives are put into a jail when they escape by the aid of a native cook. The heroine is saved from the clutches of the villain by the hero and he, as well as the pirates, are duly punished. When the hero promises to abandon his old life, the heroine agrees to wait for him.

Leila Hyams is charming though she has little to do. Charles Morton does not make such a good hero for this particular role. Ulrich Haupt is a menacing villain. Arthur Stone makes feeble attempts to put humor into the picture as the drinking wireless operator who liked the ladies.

The picture was directed by Allan Dwan from the novel by Edison Marshall.

"Broadway" (ATFD)—with Special Cast

(Universal, date not set; syn. 9,330 ft.; sil. not fixed) . .

Without any question "Broadway" is the most finished picture Universal produced since it started making pictures; it compares favorably with the best pictures that have been put out by other producing companies, even though in entertainment values it may fall a little short of two or three of the "topnotchers." It is a reproduction of the crook melodrama of the same name, which has had a success on the stage, only that, in the stage play, but one set was used, and the action was "fast and furious;" in the talking picture version, huge sets, with a modernistic design, are used; they are extremely impressive, even though they slow up the action somewhat. Such sets, in fact, remind one the German School of picture production, only that those in "Broadway" are much prettier than anything ever seen in German pictures, including "The Cabinet of Dr. Caligari." There are several good songs sung; how-

ever, it is obvious to a trained person that the first song sung by Glenn Tryon is sung by a double. The other songs appear as having been sung by Mr. Tryon himself. There is considerable pathos, some comedy, and plentiful thrilling situations. The direction is superb. And so is the acting, particularly that of Glenn Tryon.

The plot revolves around the attempts of a leader of a gang of bootleggers, (villain) to possess the heroine, a night club chorus girl, who loved the hero, a hooper in the same night club, and with the efforts of the hero, who loved her, to prevent him from carrying out his designs, despite the resentment the heroine felt at the hero's interference with her personal liberty. The hero succeeds. The villain, who had been shadowed by the police, being suspected of a murder is eventually shot and killed by a woman (Evelyn Brent) whose sweetheart the villain had shot and killed as interfering with his bootlegging operations. It then dawns on the heroine how fortunate she was that she escaped from his clutches. Reconciliation takes place between the hero and the heroine.

The voices have been recorded pretty well, the lines being intelligible, even though a "horny" sort of coloring is imparted to the tone quality, because of the shortcomings of horn projection system that is being used by the Globe Theatre, where this picture is now showing. Glenn Tryon, as the hero, Thomas E. Jackson, as the detective, Robert Ellis, as the bootlegger, are good in their respective parts. Some of the others in the cast are, Otis Harlan, Paul Porcasi, Marion Lord, Arthur Hausman, Betty Francisco, and Ruby McCoy.

"Fancy Baggage" (PTD)

(W. B., syn. Jan. 26, 6,447 ft.; sil. Feb. 23, 5,983 ft.)

Mediocre! It is the story of a father who so loves his daughter that he is willing, for the consideration of one million dollars, to sign a document, delivered to his ex-partner, now a sworn enemy of his, that he had defrauded the Federal Government, thus proving his ex-partner innocent although he was guilty. He did this so that his daughter might have the things he could not give her. The daughter (heroine) overhears the conversation, steals the check for one million dollars out of her father's vest pocket and rushes to her father's ex-partner (villain) with the hope of recovering the document and returning the check to the villain. She poses as a maid, taking the place of the regular maid, whom she had locked up in the villain's home, and, failing to find the villain there, she goes to his yacht. There she meets the villain's son (hero); he falls in love with her. She eventually recovers the letter. Her father, having missed the check from his vest pocket, guesses where it was and where his daughter had gone and follows her to the boat. The two fathers exchange more bitter words and the hero's father tries to take the document away from the heroine, when bootleggers, who were chased by a revenue cutter, approach the villain's yacht, board it and take possession of it. The leader of the bootleggers forces the two fathers to board their abandoned motorboat; they then steam away. The revenue cutter finds the boat with the two fathers in; the captain arrests them and puts them in jail. The hero and the heroine go to jail to visit their fathers, who are liberated. The heroine's father endorses the check for one million dollars to "Mr. and Mrs. Iverson"; the two young folk are thus compelled to marry so as to be enabled to collect the money. The two fathers shake hands and forgive each other.

Jeanne Kingston wrote the story; John Adolphi has directed it. Audrey Ferris is the heroine; George Fawcett, her father; Wallace McDonald is the hero; Edmund Breese, his father; Eddie Gribbon, Burr McIntosh and Myrna Loy are in the supporting cast. There is some talk in it but not more than thirty per cent perhaps.

Note: The contract gives the following facts about the nature of the story: "Story of a young man's efforts to assist a friend, at odds with his wife who kidnapped his own daughter. The young man finds himself alone on a deserted island with the girl, who hates him worse than poison. They are rescued finally. The misunderstanding between the girl's parents is adjusted and the girl's hatred for the young man turns to love." By comparing this story with the story of the picture, you will know that the picture delivered is not the picture you bought. It is a story substitution and you are not obligated to accept it.

It is manifest that the reason why Warner Bros. did not release this picture in a first-run house in this city is, in addition to being a poor picture, because it is a substitution.

"Father and Son" (PTDF)*(Columbia, May 13; syn. 6,439 ft.; sil. 6,903 ft.)*

This is a surprise; and a treat, for it is a picture with a clean and wholesome story, and full of human interest. And it is somewhat original, in that it deals with love between father and son, in a different way than it was treated in "Sorrell and Son." As in the early part of "Sorrell and Son," Mickey McBan takes the part of the son, and he does credit to it; he is a fine little actor and easily wins one's sympathy. Jack Holt does well as the father, pal of his son, although the part does not permit him to rise to the heights H. B. Warner rose to in "Sorrell and Son." Though one may find faults in the construction of the plot, yet the picture conveys a strong moral lesson to all, particularly to children, in that it teaches loyalty, faith and love, not by preachment, but by example. Mickey McBan, for example, will inspire children when he, thinking that it was his father that had killed his stepmother, tells the court that it was not his father but he that had shot her. Likewise the father, thinking that it was his boy that had killed his wife, takes the blame upon himself. The picture is also a fine example of what the relations between parents and children should be. Helene Chadwick wins a great share of the spectator's sympathy by her fine acting; the part that was assigned her is sympathetic.

The plot, which has been founded on a story by Elmer Harris, deals with the fine friendship existing between the hero and his son, about ten years old; they are inseparable chums. A young woman (heroine) lives next door and the boy is fond of her just as she is fond of the boy. She loves the hero secretly. The hero goes to Paris on business and returns with a wife, an adventuress. The boy, who remained at home, is shocked when he sees him come home with her and feels that they could no longer be chums. A letter, written to the hero by a former paramour of the hero's wife (villainess) is burned by her. But the fire left the envelope and the letter half burned. The hero finds the envelope and questions his wife. She tells him that it was his son, whose hobby was to collect stamps, that had burned it. The father whips his son even though he insisted that he was innocent. The boy leaves home. The heroine sees him and induces him to stay with her. She then notifies the hero, who calls on her to take him home. Seeing that the boy is unwilling to go, the heroine induces the hero to let the boy stay with her for a day or two. The hero agrees and sends his son home to take his playthings away. A shot is heard and the hero's wife is found dead by the hero and by his son. The son thinks that his father had killed her when he discovered who she really was; the boy thinks that his father had killed her. The father orders the boy to go to the heroine's and to say nothing to anybody. The hero tries to make it appear as if his wife had committed suicide, but the circumstantial evidence is so strong against him that the coroner's jury find that the death was caused by the hero. The boy then tells the coroner that it was he that had shot his stepmother. In telling his story it comes to light that he was singing a song into the horn of a recording gramophone when his stepmother and he had quarrelled. The record is put on the phonograph and the events that led up to the murder are reproduced in detail. It then comes to light that the dead woman had been shot and killed by her former paramour, who had come from Paris to blackmail her. The hero and the boy are thus exonerated.

The use of a phonograph record as an evidence in a murder case was resorted to in "The Canary Murder Case," but this time it is more natural, even though one must stretch his imagination a little to believe it. The actors speak in the beginning and in the closing of the picture; also in two different places about the middle. Altogether there must be about thirty-five per cent talk. Wheeler Oakman and Dorothy Revier are in the cast.

"A Man's Man" (SD)—with William Haines*(M-G-M, May 25; sil. and syn. 6,683 ft.)*

Just fair: There are parts that please, and parts that thrill one somewhat, the hero's giving the villain a good beating in the closing scenes being one of such parts; but there are also parts in it that do not please. It is the "dirty" thoughts that were planted in the mind of one of the characters that cause the displeasure. This character (villain), by making the heroine believe that he was going to make a famous motion picture star out of her, a Greta Garbo, attempts to take advantage of her. The scenes

where the hero is shown guessing what had taken place between his wife (heroine) and the villain, who had lured her into his cottage, and decides to leave her, certainly do not move one. Nothing has been gained by giving the plot such a twist and much has been lost. Mr. Haines is not presented this time as a braggadocio; he is meek, suffering from an inferiority complex. Josephine Dunn does well in her part. Sam Hardy is a "primitive" villain. Mae Busch awakens some sympathy as the "understanding" woman who tries to save the heroine from taking a false step. The plot has been founded on the play by Patrick Kearney, much of it having been changed. The picture was directed by James Cruze.

There is no dialogue in it; it is only synchronized with music and sound effects, the latter being irritating at times.

"The Glad Rag Doll" (PTD)—with Dolores Costello*(W. B.; syn. 6,885 ft. May 4; sil. June 8; 5,449 ft.)*

Very good! There is comedy interspersed throughout the picture, and considerable pathos. Most of the pathos comes from the heroine's act in accepting a \$10,000 check from the hero's family lawyer supposedly for the purchase of love letters the young brother of the hero had written to her but in truth to make good checks the young man had forged and thus save him from being arrested and sent to jail. There is more human interest in later scenes, where the hero, having been informed of the heroine's noble act, is shown calling on the heroine and begging her forgiveness for having misjudged her. The comedy comes from the heroine's ingenuity in disclosing the fact that each member of the hero's family was far from being an angel. For instance, she notices that the aunt is a kleptomaniac, the young brother, who wanted to marry the heroine, had forged checks, other members of the family having other faults. The uncle, impersonated by Albert Gran, is the only one shown to be human.

The story is by Harvey Gates; it was directed by Michael Curtiz. The talk (which is about eighty per cent) has been recorded well. Ralph Graves plays opposite Dolores Costello. Some of the others in the cast are Audrey Ferris, Maude Turner Gordon, Tom Ricketts, Claude Gillingwater, Arthur Rankin, Douglass Gerard, Andre Beranger, Lee Moran, and Tom Kennedy.

"On With the Show" (ATD)—with Special Cast*(Warner Bros., July 13; 9,785 ft.; time, 108 min.)*

It certainly took courage to make a picture of this kind, for it must have cost a fortune. But there is nothing unusual for the Warner brothers to show courage; they showed it for all time when they adopted and developed the talking picture to its present point, although in the beginning every other producer-distributor in the business was laughing at them for their efforts in the new art.

"On With the Show" is the first all-technicolor talking picture that has been produced, and the combination of moving pictures, voices and natural colors has, indeed, resulted in a beautiful piece of art and a fine entertainment. There is just one thing lacking to make it into a marvellous picture—the third dimension process, which utilizes a wide screen.

The one thing that stands out most is the coloring; the different hues, the color shades, enthrall one. The voices are good, the lines being intelligible at all times. The settings are beautiful, and the costumes the most gorgeous seen in pictures. The acting is all that could be desired. As to the story, that, too, is good, although not over-strong. Almost every actor or actress that means anything to the box office has been given a place before the camera. Arthur Lake, Louise Fazenda, Betty Compson, Joe E. Brown, Sally O'Neill, Sam Hardy, Lee Moran, Wheeler Oakman, Harry Gribbon, Thomas Jefferson, Ethel Waters, William Bakewell the Fairbanks twins,—all these are given almost equal prominence. There is some human interest, too. The singing is excellent; likewise the dancing. Comedy is interspersed throughout, Miss Fazenda contributing the greatest share. In addition, there is a charming love affair.

The story idea presents the owner of a show making every effort to keep the show going despite financial embarrassment, and the villain's efforts to make it go broke so that one of the girls he was infatuated with might become his prey. The sex part of it is confined to only one situation; and it has been handled delicately. The rest of the story is as clean as a hound's tooth.

MR. HESS AND THE BROOKHART BILL

Mr. Gabriel Hess, attorney for the Hays organization, issued a press statement last week condemning the Brookhart Bill. In the first paragraph of his statement he says:

"To do away with wholesale selling would be highly damaging to the small exhibitor. As quickly as certain star or type of pictures becomes popular, the larger theatre with more money could outbid the smaller exhibitor and reap the benefit of the popularity built up in the smaller houses..."

If we can read this statement right, Mr. Hess tells us that, under the selling system now in force, the big theatres cannot take away from the small theatres the stars or the brands that these theatres make popular.

"Nothing," Mr. Hess continues, "would put the smaller exhibitor out of business so quickly as the enforcement of the prohibition against renting of pictures until they have been actually produced and are available for exhibition..."

This is, of course, Mr. Hess' opinion, and it is entitled to our respect, for the experiment has not yet been tried in the United States and we can not state that he is wrong. But let us see what has happened in England, where a law such as the Brookhart Bill has been in force since January 1. Mr. E. Hewitson, proprietor of five fine theatres in England, and a power in exhibitor organization circles, being the president of a provincial exhibitors' organization, thus wrote me recently:

"Business over here since Christmas has considerably improved, but there was a very lean period during the last ten weeks of the old year. The abolition of blind and block booking of Pictures before they were Trade shown is proving its worth by raising the quality of the pictures which have been shown over here recently. This will help in a measure to retain our patrons, and if the exhibitors in America had similar privileges in selecting and showing their Pictures after Trade Show, there is every possibility that business in the States would show an improvement..."

Now, as I have already said, in England they have a Brookhart Bill and Mr. Hewitson informs me, and wants me to inform you, that not only the small exhibitors in Great Britain have not gone out of business, as Mr. Hess fears they will do in America if the Brookhart Bill becomes a law, but the business has greatly improved as a result of the exhibitors' being able to select the pictures their customers want. Personally I prefer to take the word of Mr. Hewitson, who knows, to that of Mr. Hess, who merely guesses. Mr. Hewitson says that business in the States would show an improvement if we had a law similar to theirs. And the Brookhart Bill is almost an exact duplicate of the British anti-blind and anti-block booking bill. So fight for it!

LET PRECEDENTS APPLY TO BOTH SIDES!

In Milwaukee an exhibitor brought M-G-M before the arbitration board demanding "The Trial of Mary Dugan" on the ground that it was one of his 1928-29 Norma Shearer pictures. The Board decided against him. And now the M-G-M exchanges in other territories refuse to give this picture to those that have the 1928-1929 Norma Shearer pictures under contract, citing the Milwaukee decision of the arbitration board as a proof that they are not entitled to it.

"It may interest you to know," George F. Dembow, an executive of M-G-M, wrote to several exhibitors recently, "that in a case that came before the Milwaukee Board for hearing last week, the exhibitor claimed that he was entitled to THE TRIAL OF MARY DUGAN as one of the 1928-29 Shearer productions (an exactly similar case) and he was overruled after very full and careful consideration, the Board holding that he was not entitled to it. It is reasonable to assume that their opinion was based on the facts herein offered for explanation and which we trust will suffice to prove to you that the circumstances failed to warrant our observance of your request."

Up to this time it was the understanding that the arbitration boards are autonomous bodies—independent of one another, any one of them being able to render an award the exact opposite of an award rendered by another arbitration board of any of the other zones, or of all the other zones, and that its decision

would stand, even though the facts surrounding the case were exactly the same as the facts surrounding the other cases. But the producers are now upsetting this theory; they are using awards rendered in other territories as precedents.

If such is to be the case with the exchanges, then it should be the case also with the exhibitors; you, too, should demand that awards rendered in other territories become a precedent.

Here is one important case that you might so use: On April 8, this year, a case was brought before the New Haven board by the Fox Film Corporation against Mrs. Mary C. Vuono, of the Strand-Palace Theatre, of Stamford, Connecticut, for her refusal to accept "False Colors," on the ground that it was a substitution of star and director. Mrs. Vuono, who was represented by Mr. Ed. Levy, Secretary of M. P. T. O. of Connecticut, received a favorable award, the board basing its decision on the fact that "False Colors," as stated in the Work Sheet as well as in the contract, was to have been directed by William K. Howard, and to have Edmund Lowe and Lois Moran in the leading parts, whereas the finished product has been directed by James Tinling, and has George O'Brien in the main part instead of Edmund Lowe, such as substitution being, in accordance with the opinion of the board, in violation of Clause 11 of the reformed Standard Contract. So use this award as a precedent whenever you are hauled before the Board for Fox substitutions or for substitutions by any other producer-distributor. And don't forget that "False Colors" was a "tough" case to win before an arbitration board for the reason that Fox had anticipated the moves of the exhibitors and tried to cover himself by inserting in his Work Sheet a tentative provision, making it appear as if he had the right to make such changes; where the substitution of story, theme, or author is concerned, you should have no trouble winning your case.

A CANDIDATE FOR THE SCRAP PILE!

In the last two months I have been to the Academy of Music (A Fox house) four times to review pictures. In the three times the Western Electric Instrument broke down for anywhere from five to twenty minutes, to the great merriment of the spectators, who yelled and jeered, urging the pictures to talk. How many times it broke down since it was installed in that theatre I cannot say, for I have other things to do besides watching the Western Electric instruments break down.

I don't know whether Mr. Otterson knows of this or not. If he does not know it, he will undoubtedly learn of it from this article. Here is a chance for him, then, to put his famous ruling into execution by ordering William Fox to stop supplying Fox pictures to Fox' Academy of Music, until Mr. Otterson took the Otterson instrument out, giving Fox a chance to put in some instrument that will not break down, not, at least, so often.

If Mr. Otterson should not see fit to do that, he might furnish that theatre with a "Woof!" "Woof!" man, to make the dog bark when his instrument breaks down.

THIRD DIMENSION PICTURES

An invited audience, consisting mostly of prominent persons engaged in the motion picture industry, were thrilled the other day by a demonstration of the third dimension pictures, given to them by the executives of RCA Photophone, Inc., at their sound studios on Lexington Avenue and 24th Street, this city. The picture that was projected on the screen was about fifty-two feet wide and thirty-two feet high.

The actors and the objects do not create the same illusion as is created by the home stereoscopic pictures, which make one think that the objects stand out in real life, but there is depth in them such as has never been attained in the regular type of pictures. The field covered by the camera is so great and the persons and objects so large that they make one feel as if what one sees is real and life-like. No close-ups are necessary in this method of recording and projecting, in that the objects appear to stand close enough to the spectator to enable him to perceive every detail.

The first act of "Lady Fingers," the well-known Broadway show, was shown in talk. A picture of Niagara Falls also was shown; it was a rare spectacle,

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A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XI

SATURDAY, JUNE 15, 1929

No. 24

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A Way to Benefit From the Present Arbitration System

Mr. Joseph J. Baron, of Grand Theatre, West Warren, Massachusetts, writes as follows:

"I wish to inform you that I was successful in defending my claim before the Boston Film Board of Trade in regard to 'True Heaven'.

"I claimed that the same was not being delivered as promised—that it was being delivered with star and director substitutions. I introduced the necessary evidence to prove my claim, and same was upheld by the board of arbitration.

"I also tried to introduce as evidence the letter which I received from Mr. Ed. Levy, Secretary of M. P. T. O. of Connecticut, which contained information about a previous ruling, on the same picture and on the same grounds, and which ruling was in favor of the exhibitor, the decision having been rendered by the New Haven Board.

"This letter was not accepted as evidence, as the Board chairman (an exhibitor) did not wish to establish a precedent.

"I remained in Boston overnight. The next day I met one of the arbitrators and was told by him that I really did not need the letter as evidence as I had previously presented sufficient facts to prove my claim. He also made favorable mention about my coming before the board fully prepared with facts to prove my claim.

"The verdict of the Board is as follows:

"The Board of Arbitration finds that the plaintiff has proved no case and it finds against the complaint and directs that the Fox Film Corporation pay to the exhibitor \$10 plus railroad fare to and from West Warren, Mass., \$5.40 for round trip ticket, total \$15.40."

"I have not yet received any check from Fox, but I guess the same will show up in a few days.

"In conclusion I want to thank you for the wonderful help which I received from you, both from your Reports and through your correspondence. Without those helps, I don't believe that I could have presented such a strong case. I thoroughly appreciate what you have done for me and shall only be too glad to reciprocate whenever I am able to do so."

My object in publishing this letter is just one—to prove to many negligent exhibitors that, whenever they appear at the trial and are provided with all the evidence necessary to substantiate their claims, the chances are nine out of ten that they will go away carrying a favorable award. I have had too much experi-

ence with some exhibitors who, although they receive a notice of the complaint in time, neglect to prepare the material necessary for their defense and either send to this office a hurried call for help at the last minute or go before the board unprovided with such facts, with the result that in nine cases out of ten they receive an unfavorable award. In one particular case (it was in Indiana) the exhibitor requested the representative of Associated Theatres of Indiana to represent him; the representative urged this exhibitor to appear at the trial so that he might more effectively defend him, but he failed to appear. As the organization representative did not have all the facts in his possession, he could not defend him effectively with the result that the board rendered an unfavorable decision against the exhibitor. The exhibitor now thinks that the organization did not represent him well, which is all wrong; the representative of the organization did all he could under the circumstances. But no one can win cases without the facts in his possession, and with the principal against whom the action is brought absent.

I agree with you that the present system of arbitration is faulty. But it is here, and you have to live under it. Why not, then, try to take advantage of whatever opportunities it presents to make it yield favorable decisions for you, too? All you have to do is prepare your case adequately, and be present at the trial. Above all, lend your moral and financial support to your organization so that it might more effectively represent you. Remember that those who are spending their time and energy and often their money to represent you are not being paid for it; they do it because they like to do it. The least you can do, then, is to give them your help.

A SHORT-SIGHTED POLICY

An exhibitor from Philadelphia writes me as follows:

"It might interest you to know that Al Lichtman of the Old Folks Home (United Artists) has closed a deal with Mr. Gravatt, who seems to be the general manager or the owner of the Steel Pier, at Atlantic City, for the showing of 'Bull-Dog Drummond' for a period of eight weeks. The actual cash United Artists received is, I believe, about \$15,000, a sum of money that is, you will admit, big for Atlantic City to pay. In addition, United Artists got the privilege of erecting on the

(Continued on last page)

"The Woman From Hell" (SF)—with Mary Astor and Robert Armstrong

(Fox, Apr. 21; footage unknown as negative is being re-cut)

Pretty good entertainment despite its misleading title. Acting and directing are good. And, though the story is simple and even familiar, it holds the interest. The sound effects are limited to noises in an amusement park, neither adding to nor detracting from its value. Miss Astor (as a blonde) is very good as the side show performer who, when she found real love, deserted that life and then nearly lost her husband's love because of her past. Robert Armstrong (villain) is good as the barker in the show, in love with the heroine, who could not believe that she had really fallen in love with her husband and so attempted to break up their happiness. Dean Jagger, the lighthouse-keeper, is pretty good as the jealous husband, who was inclined to doubt his wife's faithfulness. James Bradbury, Sr., is good, too, as the hero's father, who objected to the marriage and who, when drunk, ruined the light and caused the heroine hours of hard labor when she was forced to turn it by hand. Roy D'Arcy is good as usually in his small bit as the rounder.

The heroine is called the "Woman From Hell" in her act at the amusement park because of her Satan-like costume. She sells her kisses for 25 cents to those who can catch her while chasing her through the "lower regions." A rounder, who wanted more than his 25 cents worth, pursues the heroine and the hero rescues her from his clutches, falling in love with her. He proposes marriage and she accepts. She eventually falls deeply in love with her husband; she nearly loses him when her former lover attempts to make her elope with him. They are found together in the lighthouse and her husband is led to believe the worst until the villain tells him how his wife had saved him from disgrace by turning the light, which his father had smashed, by hand for hours.

The picture was directed by A. F. Erickson from the stage play by Jaime Del Rio, George Scarborough and Lois Leeson. Charles Kenyson wrote the scenario.

"The Studio Murder Mystery" (ATFN)

(Param., June 1; 6,500 ft.; 72 min.)

One of the best mystery melodramas that have been released for some time. The action is lively right off the start, and keeps lively to the end. Because of pretty good plot construction the desire of the spectator to know who had committed the murder is keen. Besides tense suspense, there is also plentiful comedy, provoked by Mr. Neil Hamilton, who acts as a "fresh" young lover; the cause of the comedy is the dislike of this young man for a lieutenant of the detective force, and the detective's dislike for the hero. Each makes ironical remarks about the other. The means the murderer took to conceal the crime are somewhat novel, although not very plausible; he puts a dummy in the automobile and, being a ventriloquist, makes the dummy talk, deceiving the gate watchman of the studio, where he had committed the murder, making him think that the dummy was the man that was later found murdered. The detecting is done by the young hero, on whom it dawns how the crime had been concealed. The closing scenes are the most suspenseful and thrilling; the murderer is shown as having trapped the hero in the studio and as having given him a choice either of committing suicide and thus, by a written confession, exonerating the heroine (whom he loved) of the murder, or of being killed by strong poison, to be put into his arm by the villain. The hero extricates himself from this position as follows: A rap is heard at the door, and the villain, in order to prevent the hero from disclosing to the visitor the predicament he is in, strikes him on the head with his revolver. The blow is not strong enough to make him unconscious, but the hero pretends that he had become unconscious. The villain makes the visitor believe that the hero is intoxicated. After the visitor is gone, the villain approaches the hero. At that moment, the hero, by a quick motion, grabs the villain by the neck and throws him over his shoulders. They grapple and upset furniture and everything until the police arrive and arrest the villain.

The plot has been founded on the stage play, "Surprise Party," by Frank Cambria; it was directed by Frank Tuttle. Warner Oland, Frederick March, Florence Eldridge, Doris Hill, Eugene Pallette, Chester Conklin and Gardner James are in the cast. The talking is intelligible at all times.

"Joy Street" (SF)—with Lois Moran

(Fox, May 5; syn. 5,748 ft.; sil. 5,754 ft.)

The chief purpose for which this picture has been produced seems to be to attract picture-goers by making an appeal to their sex passions. The players are all youthful and are dressed as scantily as the law will permit and act in as abandoned a way as the penal laws will permit. In some of the scenes the young women appear dressed with clothing next to nothing, displaying their bare legs and thighs in a way that would scandalize an eighty-year-old man. There is nothing to the story. And it does not convey any moral lesson. If anything, it teaches young boys and young girls ways that might easily lead them to immorality. The Fox press-sheet states, "A daring and sensational portrait of modern youngsters at play, as they have never been shown before. The last word in flaming youth, presented with a boldness and vigor that stamps it as one of the truly great achievements in screen history. Not a pious preachment—not a cheap 'exposé'—but a strikingly vivid cross-section of life as it really is . . ." Every word of it is true. Only that the following wording should have been added to it: "The best argument for the enactment of the Brookhart Bill into a law, and the best proof that the Hays organization, which has been conceived to purify the screen, can do nothing to stop this sort of pictures."

The story deals with a young heroine, daughter of wealthy parents, who, although she is a plain little girl, undertakes to become a "hot mamma" so that she might prove to the young man that loves her that she is no longer a child. This leads to disaster when the automobile in which she and the young man were riding, and which was driven by a reckless one of their set at maniacal speed, goes over an embankment. The heroine is the only person hurt, but not seriously. This brings her and the other young folk to their senses. She marries the hero.

The story is by Raymond Cannon, by whom it was also directed. Nick Stuart is the hero. Some of the others in the cast are Rex Bell, Maria Alba, Sally Phipps.

Note: This is a story and star substitution. You are under no circumstances obligated to accept it. Read the analysis in the May 4 issue.

"Square Shoulders" (PTF)—with Junior Coghlan and Louis Wolheim

(Pathe, Mar. 31; syn. 5,438 ft.; sil. 5,477 ft.)

It makes an entertaining silent program picture but a poor talking picture for the reason that the few talking sequences are poorly recorded and the voices sound harsh and are very unintelligible; it sounds as if the characters had their mouths stuffed while attempting to talk. The story is full of human interest and not a little pathos, having a wide appeal to children and also to fathers, because of the self-sacrifice the father makes for his child. And it pictures also the military academy life of the cadets with their romances, as well as other interesting details. Junior Coghlan (hero) is manly looking and acts well. Phillippe DeLacy, son of the town's millionaire and rival for the attentions of the Commandant's young daughter, is attractive and manly looking also. Mr. Wolheim, although presented as a bum and a crook, wins the spectator's sympathy by his desire to fight his lower instincts to make himself the man his son (hero) thought he was. Anita Louise is a sweet little flirt who shows fondness for one cadet only to leave him for another. Montague Shaw is the cadet's father and Clarence Geldert is the commandant.

The story revolves around an orphan newsboy, who, after being beaten in a scrap with a military cadet, meets a tramp who becomes interested in him. The tramp learns that he is his son by means of a DSC medal, which the boy proudly shows him. (The father had won it during the World War.) He steals money from the cadet's father and has the hero enrolled in the military academy. He gets a job as stable hand to be near the boy. At first the hero despises him and repeatedly calls him "bum" (this is rather harsh), but he eventually learns to love him. Spurred on by his former crook pals, the tramp robs the school so that they will not tell the boy who he is. But the hero comes to the stable during the robbery, and, with the tramp's aid, beats off the crooks. But the tramp is killed. And the boy never discovered his identity.

The picture was directed well by Mason Hopper from a story by George Dromgold and Houston Branch, adapted by Peggy Prior.

"Times Square" (PTD)—with Arthur Lubin

(Gotham; syn. 6,990 ft., Feb.)

A fair program picture. There is nothing extraordinary about the story. It is that of a great music master's son, who loves jazz music, and who revolts and leaves home when his father insists that he give up jazz. In New York City his dreams are shattered when he is unable to obtain a position, until he becomes acquainted with a young woman (heroine), who worked for a music publisher. His talent is not yet recognized, but through the heroine he is able to obtain a position and thus keep body and soul together. He composes a great piece, but it is stolen from him. When he protests, he loses his job. Things go from bad to worse until he finally decides to commit suicide. His father, visiting New York, is taken to the place where a great "musical genius" was working. The piece of music the hero had composed is brought to him. He plays it on the piano and proclaims it a masterpiece. The son, who was in his room ready to turn on the gas to commit suicide, hears someone playing his music and exits to reprimand him. He then comes face to face with his father. They embrace. The heroine, too, is there to embrace him.

The talk has been recorded inexpertly. There is not enough talk to class it even as a part-talk picture anyway; or, whatever talk there is, it has not been distributed well enough to create a "talking" impression. In one or two places Arthur Lubin is shown singing. This makes a very poor impression because the singing was put in after the picture had been produced.

The story is by Adele Buffington; it was directed by Joseph C. Boyle. Alice Day is the heroine.

"The One Woman Idea" (SF)—with Rod La Rocque

(Fox, June 2; syn. and sil. 6,111 ft.)

It is an exceptionally well acted and directed romantic tale, but there is nothing in it that would excite anybody. On the contrary, it is dull and wearying. It is a love affair between a white girl and a Persian prince. But it is not true to life, for if a Christian girl should have appeared in Persia and shown to be in love with a Persian, she would not have lived to tell the tale, because the Persians, who are Mohammedans, are very fanatic. It is only recently that they murdered an American Consul (Mr. Imbrie) for having, as they thought, offended their religion. Mr. La Rocque makes a fascinating Persian Prince. Miss Marceline Day is good as the sad-eyed white girl. The story is by Alan Williams; it was directed by Berthold Viertel.

Note: This picture, which is No. 25, was sold with Edmund Lowe, Mary Duncan, and Earle Foxe. It is, therefore, a star substitution. You don't have to accept it if you don't want it.

"She Goes to War" (SF)—with Special Cast

(U. A., July 13; syn. 8,864 ft.; sil. 8,441 ft.)

If people do not object to war stuff, "She Goes to War" ought to prove a great silent picture, for there is comedy, there is suspense and there are thrills. While it is in no way a "Big Parade," it keeps the spectator greatly amused all the way through. The scenes where the young heroine is shown donning a soldier's uniform and taking the place of her fiancé, who was too cowardly to go to fight, are too far fetched. Nevertheless, they hold the attention of the spectator because they have been handled well. The scenes in the shell hole, where two privates, who were unaware of the fact that the heroine was a woman, were taunting her for her thin legs and for her general "girlish" appearance, are very comical. The scenes where the heroine is shown in no man's land trying to get away from her tormentors and then, when she spies the German machine gunner shooting down the charging Americans, shooting him in the back and killing him, are thrilling in the extreme.

The story deals with a snobbish heroine who goes to France to help the Allies win the war. In France she is assigned to menial work, but she revolts at the idea. She is finally persuaded to do such work. She meets the hero, a young private, who loved her, but she snubs him; she is engaged to a young sergeant. Orders are received by the regiment to go to the trenches and to assault a certain German position, but the sergeant is too intoxicated to go. The heroine, unable to induce him to go, dons his uniform and takes his place. A German machine gunner holds up

the advance, but the heroine, who had gone into no man's land to escape some fellow-soldiers who were teasing her, shoots and kills the German. The Americans then capture the position. The hero finds her fainted and takes her back of the lines. Realizing that the hero is a better man than the sergeant, she accepts him as the man she would marry.

The picture was produced in silent form, but an attempt was made to superimpose a few lines of dialogue here and there, unsuccessfully. A song or two are sung, too, supposedly by a woman character, but it is too obvious that the singing was grafted. Almost all the dialogue consists of a few commands, given by officers to soldiers. It would be a misrepresentation to advertise it as a talking, or even as a part-talking, picture.

The plot has been founded on a story by Rupert Hughes. Henry King has directed it. Eleanor Boardman is the heroine, John Holland the hero, and Edmund Burns the sergeant. Alma Rubens, Al St. John, Glen Waters, Margaret Shedd, Eulalie Jensen and others are in the supporting cast.

"Honkey Tonk" (ATD)—with Sophie Tucker

(War. B., date not set; syn. 6,412 ft.; sil. not set)

Not a bad talking picture, but nothing extraordinary. In fact, it Miss Tucker were not in it, it is doubtful if it could gain a "hearing" in first-run theatres. It is a story depicting mother love and ingratitude. The mother slaves for her daughter; she even obtains a job in a cabaret so as to earn enough money to educate her daughter and to keep her in comfort. But the daughter, when she, upon her return, discovers that her mother is the famous Red Hot Mamma of the cabaret, feels so humiliated that she upbraids her and leaves home, saying that she is ashamed of her. She asks the help of her school chum's brother, a wealthy young man; the young man has other designs for her. But the owner of the cabaret, who loved the heroine's mother, being aware of the sacrifices the mother had made for the daughter, calls on the young millionaire and explains everything to him. The young man is so moved that when the heroine calls on him and asks his protection, he sends her to beg her mother's forgiveness, which she does, reluctantly at first. The owner of the cabaret induces the mother to receive the daughter coldly. The daughter is almost out of her mind when she is turned down by the mother. But the mother cannot carry on the pretense; she embraces her. The daughter is truly penitent. The mother gives her consent to the daughter to marry the millionaire, who had by this time shown that he was made out of good stuff.

There is much comedy all the way through, provoked chiefly by Miss Tucker, who does just as good work in this, her first picture, as she did in vaudeville. The action is lively due to Miss Tucker's acting. The talk is intelligible and the tone quality fairly good. Lila Lee is the daughter, and George Duryea the young millionaire. Mahlon Hamilton is the cabaret owner. Leslie Barrows wrote the story. Lloyd Bacon has directed it.

"Prisoners" (PTD)—with Corinne Griffith

(F. Nat., May 19; syn. 7,807 ft.; sil. 7,400 ft.)

It is the poorest picture that has ever been released by First National with Corinne Griffith. There is not a spot where the emotions of the spectator are appealed to. And the action is uninteresting and draggy. The story, in short, is that of a young woman who steals money from the café owner for whom she worked to buy finery so that she might attract a young lawyer, with whom she had fallen in love from afar. The café owner has her arrested, his main reason for doing so being the fact that she had refused his advances. The lawyer defends her case, and when she tells him the reason why she stole the money he disbelieves her, thinking that she made that statement with the object of enlisting his sympathy. She is sentenced to a term in jail. The lawyer then realizes that the heroine did love him, and vows that he will wait for her to marry her when she serves her time.

Ferenc Molnar wrote the story, which unfolds in Hungary; William Seiter directed it. Ian Keith is the lawyer, Harry Northrup, Otto Matiesen, Ann Schaeffer, Julianne Johnston, James Ford, and Bela Lugosi are some of the supporting players.

Note: The original title of this picture was "Paid For." But because no facts were given about it in the literature, one cannot determine whether it is or it is not a substitution. You have to accept it.

pier a sign advertising the picture.

"The point that I desire to raise is this: Is it a good policy for United Artists to sell this picture in a spot like Atlantic City for fifty cents? I am told that at least twenty thousand persons visit Atlantic City daily, and they are advertising, 'You can see everything for fifty cents, including "Bull-Dog Drummond".'

"They are asking Chaplin prices for this picture and I thought that the exhibitors of the United States ought to know what is going on."

Between asking Chaplin prices and getting them there is a great gap. However, that is not the point at issue, but the fact that one can depend on United Artists to do the wrong thing, usually. Recently they devoted eight o'clock p. m. for a few days as the United Artists radio hour, and they had their stars speak over the radio at that time. If they were enemies to the motion picture industry they could not have conceived a better way to damage the theatre box offices.

But no one can blame Al Lichtman or the other executives of United Artists Distributing Corporation; one must fasten the blame on Joe Schenck himself. He does not seem to know what he is doing. And the evidence of it is the fact that, when every one in the industry had been convinced that talking pictures came to stay, Joe Schenck was not convinced. For several months he tried to make every one of us believe that we were wrong, and that the talking pictures were merely a passing fancy, until he was finally swallowed in the talking picture vortex against his own will; he had to change his own views, because he was wrong in his appraisal of the future of the talking picture. This mistaken judgment of his has cost United Artists millions of dollars. In "The Iron Mask" alone, the losses must have been tremendous. Another picture that will cost United Artists much money, perhaps more than "The Iron Mask" has cost them, will be "She Goes to War"; it has been produced as a silent picture. And as if to admit his mistake to the world, he tried to superimpose sound on it. There are two or three places where the characters attempt to speak, in some other places where they attempt to sing, but these efforts resulted in failure; talking and singing cannot be "grafted" on a silent picture successfully; and if it should be so "grafted," it is not very effective, even with the unwary.

The showing of "Bull-Dog Drummond" at Atlantic City for fifty cents in a theatre that gives the customers, who usually are out-of-town persons, five dollars worth of entertainment in addition to the picture should be noted down on your note books by all of you; the information will be of value to you when the United Artists salesman comes around.

WARNER BROS. SUBSTITUTIONS

In the general analysis of the substitutions of all the producers, which was printed in the issue of April 13, I stated that, because Warner Bros. sold its pictures this year without any facts, one could not tell whether any of them were substitutions or not. A closer

study of the contract and of the literature put out by this company reveals some interesting facts. For example:

"SONNY BOY": The following description is given in the contract of "She Knew Men": Story of a wild youth whose uncle, his guardian, demands that he get a job and make good. Of course there is a girl with whom the boy is in love. His uncle forbids him seeing the girl until his reformation is complete, but the girl ingratiates herself with the uncle and so mitigates the boy's punishment, and the boy forsakes his youthful wildness."

The theme is not, of course, much like the theme in "Sonny Boy," although it is not such as to bar a producer from claiming that the change in it is greater than he is allowed to make in putting a story into picture form; but in the trade paper inserts, Edward Everett Horton, David Lee, and Betty Bronson were given as the stars. And they are the stars of "Sonny Boy," a fact which makes it positive that "Sonny Boy" is "She Knew Men." Warner Bros. has not produced another picture with the same cast as that in "Sonny Boy."

I suggest that you bring this matter before the arbitration board for determination. If you have "She Knew Men" under contract and Warner Bros. sold you "Sonny Boy" at a higher price than that which you agreed to pay for "She Knew Men," demand that you be reimbursed with the difference.

"KID GLOVES," too, is a substitution, for the contract described it as follows: "Story of a wealthy New York boy who changes his identity with his chauffeur and sets out for the wide open spaces where he encounters various adventures in connection with a lost purse of \$50,000." Conrad Nagel was given as the star. But the story of the finished product deals with hi-jackers, shoplifters and crooks in general, the hero being a hi-jacker himself, reforming in the end. It is not the picture you bought; therefore you are not obligated to accept it. If you have already played it, bring Warner Bros. before the board demanding a refund, the amount to be decided upon by the board.

"FANCY BAGGAGE": This picture, too, is a substitution and therefore you are not obligated to accept it. Read the details in the review, which was published in last week's issue.

AGAIN ABOUT TIFFANY-STAHL

Tiffany-Stahl should be thankful for the business it is getting from the independent exhibitors on its mediocre pictures. It seems, however, that it is not; on the contrary, it does not hesitate to do things that only the biggest of the producer-distributors are doing to them. For instance, the big fellows took pictures away from you and Tiffany-Stahl has followed their example; it sold you "Ghetto," and after making it, it re-made it with talk and tried to get more money from you by refusing to deliver a silent version and by demanding unwarranted rentals for the talking version of "Ghetto," which it now calls "Lucky Boy." Which proves that the independents, whenever they get a chance, become worse than the big fellows.

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THE INDUSTRY IN A PANIC!

Film prices have cracked. Score charges have been reduced almost to nothing. The producer-distributors, in an effort to stem the tide of theatre closing, are offering to exhibitors all kinds of inducements. Price is no longer an object. Many exhibitors have "written their own ticket," and many more have refused to listen to pleadings to remain open or to put in a sound installation. An exhibitor from a Southern state writes as follows:

"I signed up for pictures with _____ but after thinking the matter over carefully I wired in my cancellation. The following day the salesman came back and offered to cut my score charges to one half and to rewrite the contract making an average advance of twenty-five per cent. over the silent picture rentals. But I refused to sign up again because I think that we are going through a tough summer and nothing will bring business back for a while.

"He then offered me to 'write my own ticket,' but I would not listen. Some exhibitors in neighboring towns put in sound last Spring. At first they did fairly well but they now tell me that they are not taking in more money than they did with silent pictures and their expenses have trebled. So I thought I would not allow myself to be caught in the same net."

Another exhibitor from the Middle West writes me that he was compelled to close down because he could not take in the price of the film including the score charges.

I have received several letters all written in the same vein.

In this territory I know three exhibitors who remade their contracts from silent to sound at only twenty-five per cent. average increase and fifteen dollars for score charges, with the agreement to be allowed to use the pictures and the discs as long as they wanted to without any extra charge.

This paper foresaw sometime ago that such a condition would arise. With the extortionate charges for score and with the unreasonable prices for film, it would be only a question of time that either the producers would change their tune, or forty per cent. of the theatres would close down. Business is "terrible." It could not be anything else, for with money unavailable to business it was only a matter of time that the manufacturers would start laying off their employees. As call money is fluctuating anywhere from seven to seventeen per cent., the bankers prefer to lend their money to those that gamble in Wall Street stock rather than to legitimate business.

The "sound" situation is working against the smaller exhibitors. The cost of operation for those that have installed sound is so high that they not

only cannot make a profit but also they lose heavily; without sound, they are almost in just as bad a position. They are between the devil and the deep sea.

The advice this paper gives to those that have a sound installation is not to rush to sign up for the coming season's product, and to those that have no sound installation to wait to see what is going to happen. With the exception of a few spots in Key points, there is at present no money in sound pictures. Many theatres have reported that, after the first few weeks, business settled down to what it was before. The only thing left was the extra cost. So don't put yourself in the same position if you don't have to.

THE STATUS OF "DUPED" SOUND

I have read in *Amusements*, of Minneapolis, that Mr. Jack DeMarce, of Benson, Minnesota, won a case before the board against Paramount on an important point. Mr. DeMarce signed a contract with the Paramount salesman for sixteen subjects the sound of which was recorded on disc. The salesman explained to Mr. DeMarce that he would not have to play the remainder of the thirty-two subjects, which were on the same contract, because the sound was recorded on film.

The following day the Paramount exchange wired Mr. DeMarce that according to their new policy they would have sound-on-disc on all their features.

Mr. DeMarce, in order not to find himself loaded with pictures he had not contracted for, wired in his cancellation. But the contracts had already been approved; therefore, Paramount insisted that the exhibitor play or pay for all thirty-two subjects.

Mr. DeMarce took the matter before the arbitration board.

The board found that the contracts were mailed before the cancellation was sent, and yet, after referring the dispute back to the principals and the principals failing to agree, it rendered a verdict in favor of the exhibitor on the ground that the clause in the contract giving the right to Paramount to change their policy from sound-on-film to sound-on-disc and vice versa had not been approved by the contract committee.

Here is another ground that the board might stand on to render an award in favor of exhibitors: The sound-on-disc of subjects that were originally recorded by the sound-on-film method is not original; it is duped; the sound has been transferred from the sound-on-film to the sound-on-disc, by duping. And duping should be considered unethical when the exhibitor is not told that he is buying

(Continued on last page)

"The Four Feathers" (SD) Special Cast*(Param., date not yet set; syn. and sil. 7,462 ft.)*

The Paramount 1929-30 campaign book states that "The Four Feathers" was two years in the making. It is just two years too late, for what now attracts picture-goers is talk; and "The Four Feathers" is not a talking picture, even though Paramount leads exhibitors to believe that it is a "talker." "Your audiences will HEAR as well as SEE the fierce battle between white soldiers and native 'Fuzzy Wuzzies'," says the reading matter in that book. What one hears is, not the booming of guns and the rattle of rifles, but wind puffs, the disc system of sound recording being unable to record such reports faithfully. "And they'll HEAR and SEE one of the most popular stories of love and high courage ever written." They will see but will not hear this picture, for the actors do not utter a single word. There are a few thrills here and there but they are not such as to impress one deeply. The chief trouble with it is the fact that the hero, impersonated by Richard Arlen, does not win the spectator's sympathy, for the reason that, although he commits acts of bravery in an effort to prove to his three former comrades that he is brave, and not a coward, as they had dubbed him, he had shown cowardice in the beginning. For instance, he is an officer of the British Army. He is engaged to a girl of a prominent family. He receives word that war is about to start in Sudan and, in order to avoid going there to fight, thus postponing the day of his wedding, resigns from the army. One of his comrades finds the message and shows it to the two other fellow-officers, comrades of the hero, as well as of his. The three realize that the hero was showing cowardice and each sends him a white feather, an emblem of cowardice. His sweetheart, too, when she hears of his resignation, hands him a white feather.

The action unfolds in Sudan. The plot has been founded on the novel by A. E. W. Mason. E. B. Schoedsack and M. C. Cooper directed it. Richard Arlen is the hero, Fay Wray the heroine, and William Powell, Clive Brook, and Theodore Von Eltz the fellow-officers. Some of the scenes were photographed in the jungles of Africa; in one place herds of hippopotami are shown; in another, a host of monkeys.

NOTE: The showing of one of the hero's friends, an officer of the British Army, reading the note the hero had dropped in the fireplace, this being the means whereby the three fellow-officers learn that the hero had resigned from the army so as not to be sent to Sudan to fight will, no doubt, be resented in Great Britain as well as in other parts of the British Empire; it will undoubtedly be considered an insult to the British army, for no British officer would commit such a caddish act. This untactful incident alone is enough to kill "The Four Feathers" in Great Britain.

"The Fall of Eve" (AT) Special Cast*(Columbia)*

This is the first attempt to put a farce-comedy in talking pictures and it is highly successful, for the complicated situations, so familiar in the silent farce-comedies, which caused so much laughter, cause as much laughter and more in this picture, because the laugh provoking situations are helped by the talk of the characters. One may fearlessly say, in fact, that it is unlikely that it could have created more laughter if it were produced on the stage.

The complications are caused by the resolve of Tom Ford, Sr., impersonated by Mr. Jed Prouty, to entertain Mr. Mack, a prospective customer, (Ford Sterling) at a night club. To this end he takes Eve Grant, (heroine) impersonated by Patsy Ruth Miller, along. On that day the father had refused permission to his son, Tom Ford, Jr., to marry the heroine, but he did not know that the girl the hero had meant was the heroine. Mrs. Mack, impersonated by Betty Farrington, insists on going along. So Mr. Ford, Sr., is compelled to introduce the heroine to her as "Mrs. Ford." The real Mrs. Ford was away from home. She happened to be listening over the radio and, hearing the announcer of a cabaret broadcasting station state that the playing of a certain piece of music was requested by "Mr. and Mrs. Ford," she returns home immediately and finds her husband, the heroine, and Mr. and Mrs. Mack at their home. But things are straightened out

when the son (hero) announces that the heroine is Mrs. Ford, Jr., he and the heroine having been married secretly.

The part of the film where Gertrude Astor, who takes the part of Mrs. Ford, Sr., returns home and finds them there is the most comedy provoking part. Mr. Ford Sterling is at his best as a "talking" comedian. Betty Farrington, too, deserves prominent mention; she almost steals away the picture from the other actors. It is said that this is her first appearance in any picture, talker or silent. All do good work, and the lines are intelligible at all times, even though the sound at the premier performance was a little too strong. Frank Strayer directed the picture from the play by John Emerson and Anita Loos. Frederick and Fanny Hatton wrote the dialogue.

"Hard Boiled Rose" (PTD) with Myrna Loy*(War. Bros.; syn. 5,610 ft., Mar. 30; sil. 4,875 ft., May 4)*

A well directed and acted talking picture; the dialogue is scattered throughout and all the voices register exceedingly well, particularly those of John Miljan (villain), Myrna Loy (heroine), as well as the rest of the cast, Gladys Brockwell (villainess), William Collier, Jr., (ne'er-do-well on of the villainess), Ralph Emeron (hero), Edward Martindel (heroine's father) and Lucy Beaumont (heroine's grandmother). The theme is familiar though the ending is rather suspenseful and the story is unfolded very entertainingly.

The heroine's father (a Southern widower) in love with the villainess, proprietress of a gambling resort to whom he owes \$200,000 in gambling debts, commits suicide to save the family honor, because he had stolen the securities to raise the money. The hero, his employee, and the heroine's sweetheart, takes the blame and so prevents the old grandmother from knowing the real facts. But the heroine learns of her father's act and decides to recover the money and save the hero. She becomes a habitue of the gambling resort and vamps the villainess' son, who is out on parole, having forged checks in the villain's name (he was in love with the villainess). In time the heroine succeeds in making him steal the securities from his mother. The villainess trails her to her home and threatens to tell the grandmother everything. But the heroine in turn tells what she knows about her son. She lets the heroine keep the money and decides to say nothing to the grandmother.

Melville Crossman wrote the story. Harmon Weight directed the picture.

"Frozen River" (PTD) with Rin-Tin-Tin*(War. Bros.; syn. 5,482 ft., Apr. 20; sil. 5,110 ft., May 25)*

A pretty good program feature for neighborhood houses, especially where Rin-Tin-Tin is popular. His bark rings out huskily and his almost human acting wins for him his usual appeal. He again rescues the heroine from villains and unites her with the hero. The talk, mostly in the first scenes and scattered a bit throughout the rest of the picture, is recorded clearly although none of it is particularly brilliant. Davey Lee has the leading role though the older hero, played by Raymond McKee and the heroine, Nina Quartero, carry the story along with Joseph Swickard, as the supposedly crazy goldminer. Frank Campeau and Lew Harvey are the two villains.

The story revolves around a lone wolf dog who had been raised by wolves. He did not like their ferocious life and sought human companionship. But his first venture proved disastrous because he was caught in the trap of one of the villains. He later meets the hero, who tames him. He meets also the heroine, who fears him, and her little brother, who makes a pal of the dog. The heroine's grandfather entrusts her with the two villains to go to the frozen river country to recover his hidden gold. The hero learns of it and, by aid of the dog, traces them to the lonely cabin where both villains attempt to attack the heroine. He finds also the little boy, who had been kidnapped by the villains and had been held as a sort of hostage so that the heroine might not refuse to tell where the gold was. Of course the dog and the hero arrive in time to rescue her and the boy. The dog takes care of the villains.

Harmon Weight directed it from the story by John J. Fowler.

"From Headquarters" (PTD) with Monte Blue

(*War. Bros.*; syn. 6,323 ft., Apr. 27; sil. 4,895 ft., June 6)

Mediocre! the sound is poorly recorded, the story is loosely put together and it is too unconvincing to hold the spectator's interest, despite the good work of Monte Blue. The scenes in the jungle where the hero and the marines are searching for a lost American party, showing the struggles and dangers of fighting against the rebels, revolutionists and bandits are rather pathetic as is the scene of the dying woman who left her few days' old baby as the sole survivor of the party. The heroine, supposedly a Latin-American, speaks perfect English when occasionally she remembers and assumes the Spanish accent. A rather good cast does its best, such as Guinn Williams, Lionel Belmore, Henry B. Walthall, Eddie Gribbon, Gladys Brockwell and Ethlyne Claire. Samuel Hartridge wrote the story, Harvey Gates adapted it and Howard Bretherton directed the picture.

The hero had deserted the marines to protect the name of another marine who had embezzled the navy's fund and who was married. (The hero had loved his wife.) He becomes a drunken renegade, joining forces with the rebels. He accepts the offer of \$5,000 to act as guide to rescue the lost party. They find a white woman dying. She tells the captain that it was her husband who had committed the crime. After a terrible trip back, the hero learns that he is free of the charge and so returns to the heroine who loved and trusted him.

"The House of Horror" (PTD) with Louise Fazenda and Chester Conklin

(*F. Nat'l*; syn. 5,939 ft., Apr. 20; sil. 5,700 ft., Apr. 7)

A comedy-mystery melodrama that does not hold the interest too much because the spectator suspects the ending almost from the beginning and is bored by the useless chasing in and out of rooms (more or less in broad comedy manner). Miss Fazenda and Mr. Conklin, as spinster and bachelor brother and sister, create the laughter by the costumes they wear. The talk is mostly in the opening scenes, between the brother and sister and a mystery man, who persuades them to come to New York to their uncle's haunted house. Thelma Todd, heroine and James Ford, hero, appear at first to be a pair of crooks but they eventually turn out to be rival reporters and sweethearts. William V. Mong is a grotesque mystery man who, however, provokes laughter instead of fear in the spectator. Emile Chautard is the miserly uncle, in the clutches of dishonest servants, Dale Fuller and Tenen Holtz. William Orlamond is a crook also trying to rob the miser of his valuable diamond.

The familiar hokum of trap doors, mysterious falling objects and doors slamming, take place when eventually all land in the miser's room where the brother and sister learn about the diamond. Just as the mystery man is about to steal it, the heroine and hero, with revolvers, rescue them from the crooks.

Richard Bee wrote the story. Benjamin Christensen directed the picture.

A fair enough neighborhood calibre picture.

"The Idle Rich" (ATD) Special Cast

(*M-G-M*, June 15; 7,351 ft.; 81½ min.)

The quarrels of the family in "The Idle Rich" kept the spectators in a roar at the Capitol Theatre, this city, where the picture was shown. Their squabbles, at times every member of the family joining in, are so well acted that one feels as if being present in a real life occurrence. The endless talking of Bessie Love, in particular, who scolds her brothers and cousins because they drove away her truck driver Romeo, should make one feel as if seeing a girl in every day life setting her mind to capture a husband and making a failure of it as a result of interference. There is comedy in almost every one of the situations. The lines have been recorded well and are intelligible at all times. The acting is first rate, and so is the direction.

The plot, which has been founded on Edith Ellis' play, "White Collars," deals with a wealthy employer (hero), who marries his stenographer (heroine). But the heroine insists that they live on the same plane as her family.

The hero wants to help the family but every one turns him down because they, being of the white collar class of workers, feel too proud to accept his proffers for aid until he, in order to teach them a lesson, announces that he accepts their views about the "down-trodden middle class" and that he is going to give his wealth away in a manner that will benefit this class of workers. Then every member of the family changes his or her views, throwing principles in the air. The hero at first pretends that he is going through with his plans and stands his ground until he is convinced that a complete change has taken place in the mind of every member of his wife's family. He then does good things for them all.

William de Mille has directed it. Conrad Nagel, Bessie Love, Leila Hyams, Robert Ober, James Neil, Edythe Chapman, Paul Kruger, Kenneth Gibson and others are in the cast.

There is no silent version.

"Careers" (ATD) with Billie Dove

(*F. Nat'l*, June 2; syn. 8,551 ft.; sil. not fixed)

This is a perfect specimen of a highly artistic talking picture that is not an entertainment. The direction and acting is of the highest skill, but the story material is not such as to appeal either to one's intellect or to one's emotions. On the contrary, what is shown is not of the pleasant sort. For instance, the heroine, supposedly a virtuous woman, learns that the reason why her husband had not gained promotion was because her conduct was too "proper." As a result she calls on the villain for the purpose of trying to induce him to make her husband's promotion easy. The villain naturally implies to her what he wants and the heroine is horrified. When the villain tries to force his attention on her she tries to repulse him. There is nothing in such action that would appeal to the emotions of the picture-goers.

Nor is there anything appealing in the later action, when a Chinaman murders the villain, who had caught him in the act of stealing valuables from his house, by stabbing him to death. This Chinaman, when caught, accuses a white woman of the crime. When he is brought before all white women of the colonial settlement, he points out to the heroine as the murderess. The hero, who had been appointed by the French Resident General to apprehend the murderer, is shocked. But it comes to light that the villain had been murdered not by the heroine but by the Chinaman. The hero is heart-broken at first to think that his wife would have used her woman's charms to obtain a promotion for him, but she assures him that she did it because she loved him, and that she had committed no indiscretion.

The action unfolds in a French colony. The plot has been taken from the play by Alfred Schirokauer and Paul Rosenhayn. The direction is by John Francis Dillon. Antonio Moreno is the hero and Noah Beery the villain. The talking has been recorded well and the reproduction is very good, the lines being intelligible at all times. But the picture is not a good entertainment; it may appeal to a limited few of the cultured picture-goers.

WARNING!

The switch from silent to talk has left the producers up in the air. They have millions of dollars worth of contracts for silent pictures, which they cannot very well fulfill, as they are devoting their greatest energies to making talking pictures. But because the "silent contracts" represent, as said, millions, they may try to get the benefit out of them by making silent pictures in haste and with little expense, and delivering them to you as pictures you have under contract. In some instances, the pictures they deliver have nothing in common with the pictures they sold except the title. In other instances not even the title is the same.

If you should receive a notice of play-date availability for a picture, the title of which does not appear on your contract, do not accept it until you first find out whether it is only a change of title or a substitution. You should be careful even if the title is the same. You should watch out particularly for any Tiffany-Stahl attempts to foist substitute pictures on you.

"duped" sound. Duped sound is never as good as the original sound, particularly when the transfer is done from the film, for the reason that any defects on the sound track are recorded on the disc. That is the trouble with the Fox sound-on-disc subjects and the subjects of every producer-distributor that uses the variable density system. It is not so bad when the sound is transferred on the disc from a film that has been recorded by the variable width system.

Contracts should specify whether the sound-on-disc sound is original or duped; the exhibitor should not be made to pay for original sound when he is to get duped sound.

WHOM DOES WOODHULL PROTECT?

I have read in the trade papers the following news item:

'Woodhull Warns

"A warning to exhibitors against destroying discs after their use a given number of times, is sounded by President R. F. Woodhull of the M.P.T.O.A., who reminds exhibitors that these discs 'are the property of others and are only leased to exhibitors.' To willfully destroy this property is 'a malicious and illegal act in any man's country,' he declared. His warning follows advice he says was given by a publication advising exhibitors to destroy discs."

Manifestly Pete Woodhull refers to this paper, because it was in last week's issue that it advised you to destroy the discs if you should find that they were used more than fifteen times.

In studying the matter of tone quality given out by the discs when used in synchronized pictures, I have learned that if they are used more than ten times they give bad results.

If discs that are used ten times give bad results, it follows that where they are used anywhere from twenty to forty times they may ruin your business; the prices you have paid for talking and for synchronized pictures are so big that only when you give the talking pictures under the best of conditions can you expect to break even, let alone make a profit.

But Pete Woodhull, in issuing that statement, did not say a word in condemnation of the pernicious practice of deceiving exhibitors as to the number of times disc records have been used by pasting a second label over the first label; all he was concerned about was to save the producers' records, the initial cost of which is sixty cents. He has said nothing about the destruction of your property, which in most instances embodies your life's savings.

RECORDING FEES NOT CHARGED BY A. S. OF C., A. & P., SAYS MILLS

Mr. E. C. Mills, Chairman of the Administrative Committee of the American Society of Composers, Authors and Publishers, informs this office that the statement made in recent issues of HARRISON'S REPORTS, including the issue of June 8, to the effect that the royalty charge for music in the production of synchronized pictures is made by the Society is erroneous, and that it is made by himself; in his personal capacity as Agent and Trustee of a great many music publishers he issues licenses to the manufacturers of synchronized motion pictures for the use of music in their synchronized scores, but such license, according to Mr. Mills, does not include the PERFORMING RIGHTS license

fees, which may be subsequently charged by the copyright owners when the music used in scores is publicly performed at theatres. In other words, the payment of royalty for the right to record music of the members of the society on film or disc does not relieve the exhibitor from paying royalty for publicly performing that same music; the exhibitor must still pay a fee for reproducing such music in his theatre during a public performance.

As far as the exhibitor is concerned, it is immaterial to whom the royalty is paid for the recording of the music; what he is interested in is the amount of money paid, and what he himself should pay as his share of such a charge. And he knows now that profiteering is done by the producer-distributors in this matter, for it has been proved conclusively in these pages that the pro rata royalty charge for each booking is a sum of money anywhere from twenty-three cents to one dollar.

WHEN THE CONTRACT FOR SCORE CHARGES IS NOT APPROVED

An exhibitor writes:

"Last week I gave a Warner Bros. salesman a contract for 36 sound pictures and the salesman left a price schedule with me showing the score charges to be paid by me, in which he stated that same was to be confirmed by the Vitaphone Corporation.

Three days before I was to open with 'The Home Towners' I received a wire from Mr. Greenleaf, of the Vitaphone Corporation (Atlanta), stating that New York would have to have more for the scores and asked that I wire him acceptance.

"Instead, I wired Warner Bros. cancelling the entire contract, even though the picture contract had already been approved by them.

"I followed up this wire with a registered letter cancelling the entire contract on account of their increased score charge demand.

"What I want to know is, can Warner Bros. hold me to the picture contract in view of the above? I did not sign any contract for the score.

"Kindly give me your opinion in the matter."

The contract for the pictures under the circumstances described by this exhibitor stands cancelled, regardless of the fact that it was approved by the distributor. Any attempt on the part of Warner Bros. to hold an exhibitor to such a contract is "gypping" of the worst kind. And I don't think it is legal, for the article sold is not complete; it is useless without the rights to the score.

THE BEST ADVERTISING MEDIUM!

Mr. A. E. Beach, of Littleford Bros., Plate & Steel Construction firm, of 443 East Pearl Street, Cincinnati, Ohio, wrote this paper recently as follows:

"We very recently sent a questionnaire to 3,000 Motion Picture Theatre owners and managers scattered throughout the United States. The purpose was to determine what Trade Paper in that field would be the best medium in which to advertise our Horne Tower for Sound Installations. . . .

"Many of the questionnaires make special mention of 'Harrison's Reports' and suggest that we send you a complete description of our product. They, in every case, tell us that you carry no advertising. One of the questionnaires is enclosed. . . ."

The "best advertising medium" unfortunately does not accept advertising.

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Why Much Used Records Must Be Destroyed!

The pressure of the pickup on the record at the point of the needle is approximately twelve and one-half tons per square inch, because the area of the needle point is about one-fifty thousandth of an inch and the pickup weighs one-half pound.

The groove of the record consists of zig-zag curves.

When the record revolves, the needle wears out the projections in the zig-zag lines, the amount of wear depending on the number of times a record has been run.

That there is great friction at the contact point between the needle and the "promontories" may be evidenced by the fact that, when the needle is examined under a microscope after it has run through the entire record, it is found that it has worn down slant.

The tone quality of the sound reproduced by a record depends on how sharp the zig-zag lines are. The more times a record is run, the poorer the tone quality becomes. It has been found by experts, in fact, that the life of a record is ten runs. Some authorities even assert that no decent tone quality can be got out of a record if it has been run more than five times.

Knowing these facts I, when my attention was called to the fact that some distributors paste new labels over old labels in an effort to lead you to believe that such records had not been run many times, suggested that you scratch the records with a sharp instrument so as to make them useless if you, after using them for your entire engagement, find that they have been run more than fifteen times, my object for making such a suggestion being to protect your interests against "sharp" practicing distributors. But for making such a suggestion I have been attacked by representatives of some producers and distributors. One of them stated that to destroy records is unlawful in "any man's country."

For an act of destruction to be unlawful, the property destroyed must have some value. A record that has been run fifteen times has no value; therefore, when you destroy it you commit no unlawful act. It is, in fact, your duty to destroy such records so as to protect the other exhibitor from being compelled to run business-destroying records, just as the other exhibitor would protect your interests by destroying them.

Sending you a record with a new label pasted over the old label so as to mislead you is no different from handing you a counterfeit bill.

You cannot, of course, deliver the distributor that hands you a "counterfeit" record to the police just as you could a person that hands you a counter-

feit bill; you have no protection from such a person. And yet something should be done to stop this pernicious practice. Perhaps a complaint lodged with the Federal Trade Commission on the ground that the act is an unfair trade practice may bring some results.

The Hays organization could do something in this matter but it has no courage to call a powerful member to the carpet; if a complaint should be lodged with it, its heads will no doubt again fortify themselves behind the "hands off" policy in "business affairs of the members." And yet the producers assert that they have founded their organization, and took a person from the President's Cabinet to head it, for the purpose of furthering the art and of adopting fair business tactics.

If you intend to sign up for disc talking pictures, insert in the contract provision forbidding the distributor from sending you records that have been run more than ten times. At present such a provision will be your only protection.

WILLIAM BRANDT HEADS FOX THEATRES

Billy Brandt, the well known New York exhibitor, former President of Theatre Owners Chamber of Commerce and leading spirit in the unsuccessful Sapiro movement, has been appointed General Manager of Fox' Metropolitan Theatres, and may soon become General Manager of all Fox theatres.

HARRISON'S REPORTS has cause to feel proud at Mr. Brandt's elevation to the present position, for it was instrumental in bringing this happy event about.

Billy Brandt stood shoulder to shoulder with this paper fighting Fox substitutions. When he defeated Fox before the local arbitration board on some Fox substitutions including "Square Crooks," he sent a letter to this paper. This letter was published in these columns, saving hundreds of thousands of dollars to other exhibitors.

It was that letter that forced Fox to send for him and to complain to him that the publication of that letter cost him, in Fox's own words, "half a million dollars." And it was at that meeting that the foundations for the sale of the independent theatres in this city were laid, thus making a deal not only for himself but also for others, as well as making it possible for other exhibitors to make a deal for themselves, for which they owe him a debt of gratitude.

When Mr. Fox told Billy that the publication of that letter cost him such a huge sum of money, he

(Continued on last page)

"Thunderbolt" (ATF) George Bancroft*(Param., June 22; syn. 8,571 ft.; sil. 7,311)*

It will hardly be considered an entertainment except by those that are morbidly inclined. "Thunderbolt" is the best glorification of a crook and a murderer that has been filmed to this day.

The crook-hero is sought by the police for murder but, to please the pretty woman he was consorting with, comes out of his hiding and goes to a cabaret, thus showing heroism of high order. The cabaret is raided but he escapes. Later on he is trapped and arrested. After a trial he is condemned to die. While in the cell, he is not concerned so much about his own life but how soon he can get hold of and kill the young man, whom he had framed, and who had been convicted to die in the electric chair because of his, the young man's, inability to prove his innocence; he was under the impression that the young man had stolen his woman, even though he was innocent.

The spectator is made to believe that, when the murderer is about to be led to the death cell, he would bid farewell to the other condemned inmates. He would naturally shake hands with the young man, too. The murderer then would have a chance to kill the young man. Things happen as the spectator believes they would happen, but when the hero lays his hands on the young man the latter chances to drop a remark forming the crook-hero that he had not stolen his woman, but that he, that is, the crook-hero, had stolen the heroine from him, the young man. Then the crook-hero relents; he expresses sorrow and goes to his death cell smiling.

The Warden, the part impersonated by Tully Marshall, has been made a clown; Mr. Marshall talks and jests about electric chairs and death as if these were a pleasant part of everyday life. It is shocking. Miss Fay Wray is presented as a beautiful woman of loose morals; she was in the clutches of the crook hero. She wanted to get away from him and to abandon that life, but the crook-hero threatened the life of any one that would take her away from him.

George Bancroft is a powerful actor; it is too bad that better stories are not given him.

Charles and Jules Furthman wrote the story. Joseph von Sternberg directed it.

The picture is drawing big crowds at the Rivoli, where it is now playing, because of Mr. Bancroft's popularity. But it is not a good entertainment.

"Broadway Babies" (ATD) Alice White*(F. Nat., syn. 8,806 ft.; June 30; sil. not fixed July 14)*

Paramount is advertising that "Thunderbolt" contains no court room or back stage scenes. This must be an indirect admission that pictures in which trial or back stage scenes are prominent do not draw. Such being the case, "Broadway Babies" perhaps may not draw, for the reason that over six thousand out of the eight thousand feet deal with stage life. The heroine is a chorus girl.

While Miss White is not a sensation, she is a good actress and with good stories might make a good drawing card. But not with stories such as the story of this picture. There is nothing to it. It is too tiresome, not only because what is unfolded is not interesting to the average picture-goer, but also because the characters talk the spectator to death. There would have been some excuse were what they talk about interesting. But it is not. The whole show is concentrated in the last two reels. There are some thrills in that part, and the spectator is held in suspense. But that part glorifies a gambler, by showing him what a real sport he is after he had held up other gamblers. The fact that those he had cheated were trying to cheat him does not rob the gambler of his glory.

The story deals with a chorus girl that attains fame. The young man who loved her tries to stop her from accepting gifts from wealthy people and from going to suppers with them but she resents his interference. Finally she agrees to marry a wealthy man, not knowing that he was a gambler. The gambler is framed by other gamblers, but as he guesses their plot to rob him he turns the tables on them; he robs them of everything they had, by having his gang surround the place and forcing them to pay him what they owed him. He goes to the theatre to take the heroine to her boarding house, where the marriage ceremony was to be performed. On the way over she confesses to him that, as she loved the hero, she could not go through with it. Before reaching the boarding house the rival

gamblers shoot him in the heart. He gives his money to the heroine and orders her to rush to the boarding house before they take it away from her. He reaches the boarding house but tells the hero that she, the heroine, loved him (the hero). He gives the money to the hero and admonishes him to marry the heroine and to take good care of her. He dies of the wound.

Jay Genzer wrote the story, Mervyn LeRoy directed it. Charles Delaney is the hero; although he acts well, his voices does not register well. Fred Kohler does great work as the gambler.

"The Wheel of Life" (ATF) Richard Dix*(Param., June 15; syn. 5,153 ft.; sil. 5,305 ft.)*

This can be hardly called an entertainment. Although it has been founded on a stage play ("The Wheel," by James Bernard Fagan), yet it represents the Hollywood idea of what life is and what it should be. The action unfolds in London and shows the hero meeting a young woman (heroine) ready to commit suicide; he prevents her from doing so. He takes her to his home. She escapes and leaves no clue who she was. The hero returns to his regiment in India and is shocked when he finds that the heroine is the wife of the Colonel of his regiment. They are thrown together and realize that they are in love with each other. The hero, feeling that it is ungentlemanly to be in love with the wife of his superior officer, asks for a transfer. The Colonel pleads with him to stay but the hero is inflexible until an incident descends to the Colonel that the hero is in love with his wife. The hero is transferred. But soon they are brought together again. This happens when the regiment of the hero is sent to rescue some British travellers, who had been attacked by Hindus and who had taken refuge in a Buddhist monastery. Among these travellers were the heroine and the Colonel. The heroine again expresses to the hero her undying love for him. The Colonel is (conveniently) killed by a Hindu bullet. Hero and heroine thus find themselves free to marry.

No act of any of the characters arouses any sympathy among the spectators, and many of the acts cause displeasure. The sight of the hero's being in love with his colonel's wife, for example, is not sympathy arousing, even though the hero conducts himself as a gentleman and does everything that is possible for him to do to keep away from the heroine, whom he loves with all his heart. There is too much talk in the picture. This tires one.

Richard Dix is the hero, Esther Ralston the heroine. Others in the cast are: Arthur Hoyt, O. P. Heggie, Myrtle Stedman, Larry Steer, Regis Toomey, and Nigel de Brulier.

Victor Schertzinger directed it.

"Two Weeks' Off" (PTD) with Jack Mulhail and Dorothy Mackail*(F. Nat., May 12; syn. 8,081 ft.; sil. 6,701 ft.)*

Fairly entertaining, just like the average picture released in the past with this pair of stars. Only that there is some talk in this one. The talk occurs in the beginning and in the end; the middle is "dumb." There is a great deal of mild comedy all the way through. Most of the comedy occurs in the beach resort where the hero, a young plumber, upon learning that the beautiful girl he had beheld was the daughter of a friend of his, goes to the resort to woo her. He is mistaken by some girls as a movie actor from Hollywood. The heroine, too, hears about it and, when he calls on her to deliver to her a note book she had dropped in his hotel, she tells him she knows he is a famous actor. In the development of the plot the hero is shown making an effort to convince the heroine that he was not an actor, but the heroine thought he was making such statements out of modesty.

A great deal of comedy is provoked when the hero is humiliated at the meeting of a society at a theatre, where he had been invited to appear before an invited audience. The life guard of the beach resort, resentful for having humiliated him, exposes the hero by informing the audience that he is not an actor but a plumber. This causes a break between the hero and the heroine, which is eventually patched up.

The story is by Kenyon Nicholson and Thomas Barrows. It was directed by William Beaudine. Gertrude Astor, Jed Prouty, Eddie Gribbon and Gertrude Messinger are in the cast.

"High Voltage" (ATDF) William Boyd*(Pathe, May 19; syn. 5,743 ft.; sil. not fixed.)*

A bus is stuck in the deep snow in the High Sierras and its passengers, consisting of a sheriff and his young blonde prisoner, and of a banker and his bride-to-be, accompanied by the chauffeur, tramp two miles to a shack where they seek shelter. To their surprise, they find a man (hero) in the shack. They are hungry, but the hero forbids them from taking any food, informing them that, as he believes that the storm would last ten days, the food had to be made to last that length of time. The hero learns that the young charge of the sheriff's is being taken to the penitentiary. He falls in love with her and she with him. But she is unwilling to marry him because she is a convict. When he tells her, however, that he, too, is a fugitive from justice, she is willing to escape with him, and to share his fate. The sheriff, too, loves the girl, but when he sees that she loves the hero he pretends that he does not notice their attempt to escape. When they are out of the shack, however, they change their minds about escaping, preferring to stay and nurse the other girl, who was in danger of contracting pneumonia because the ice on which she had happened to be standing broke and she fell into a pool of water. An aeroplane brings succor. The following day they are rescued. Both decide to serve their time and to wait for each other.

There is not much to the story, but it has been directed so well that the interest is held pretty well all the way through. In some of the situations the spectator is held in pretty tense suspense, too. Now and then it tends to drag but on the whole it keeps the interest alive. The acting is very good. But the story tends to glorify a criminal, although not to the same degree as in "Thunderbolt."

The story is by Elliot Clawson. Howard Higgin directed it. Owen Moore, Carol Lombard, and Diane Ellis are in the cast. Carol Lombard is a pretty girl and a good actress. The same is true of Diane Ellis.

"The Veiled Woman" (SF) Lia Tora*(Fox, April 14, syn. 5,192 ft.; sil. 5,185 ft.)L*

The opening of this picture shows a villain taking an innocent young girl to an inn in Paris, where he hires a room, intending to take her in to wrong her. A woman, whom this villain had wronged, happens to be in that inn and, while the villain was upstairs selecting the room, approaches and tells her the story of her life, thus making the young girl realize what a "rotter" the villain was, and what would be her fate if she kept on believing in him. The young woman thanks the strange woman and goes away.

From this you will realize that the picture is, not only "rotten" but also unsuitable to be shown to the family circle. The story the woman tells to the young girl is sordid and contains incidents that cannot be explained to young boys and young girls.

The story is by Julio Moraes and Lia Tora. The action unfolds in Paris. Paul Vincenti, Walter McGrail, Joseph Swickard, Kenneth Thompson and others are in the cast.

Note: This is the picture Fox offered in place of "Speakeasy." Those who bought "Speakeasy" are not obligated to accept "The Veiled Woman," unless they signed a Rider, agreeing to accept it. But even then, they could escape accepting it if they should enter a complaint with the arbitration board, on the ground that it is immoral and therefore unfit to be shown to families.

"Drag" (ATD) Richard Barthelmess*(F. Nat., July 23; syn. 7,642 ft.; sil. not fixed)*

Though many incidents are exaggerated, "Drag" will hit home just the same; many husbands will see themselves in the hero, who is shown imposed upon by every member of his wife's family, his wife included. The father-in-law, after the hero had married the daughter, wants him to live with the rest of the family so as to cut down expenses. The hero is reluctant in doing so at first, because he wanted a home he could call his own, but the wife induces him to stay because, as she said, she had never lived away from home. Business goes from bad to worse for the hero because he was compelled to spend his money feeding the entire family until a time comes when he is unable to buy paper for his newspaper; then he goes to his father-in-law for help, asking the return of part of the money he had

lent him. The father-in-law turns him down and the hero, after upbraiding every member of the family, asks his wife to pack up as he was going to New York with her. The wife refuses to leave her family and the hero goes alone. In New York he makes a success, thanks to the help a girl that loved him gave him. When the family hears of his success, they go to him. They again act the same as before, until the hero upbraids them again and tells them all that they can have the use of the house and everything that is in it for a year but that they had to go out of his sight after that time. He then boards the same boat for Europe as the girl that loved him was taking.

There is much human interest in every one of the situations. One cannot help feeling sympathy with the hero, on whom a whole family stuck like barnacles, and displease for the selfish heroine, who would not "shake" off the family to follow her husband. One is inclined to sympathize also with the heroine, impersonated by Lila Lee, who loved him, but who had lost him to the other girl. In a way one feels as if telling the hero he deserved his hard luck since he had passed up a good girl and married the girl with a troublesome family.

The story is by Dudley Pelley. Bradley King directed it. The characters talk all the way through. Alice Day is the heroine, Lucien Littlefield the father-in-law. Others in the cast are, Katherine Ward, Charlie Parker, Tom Dugan and Margaret Fielding.

"Stairs of Sand"—with Wallace Beery*(Param., June 8; 4,900 ft.)*

An interesting and entertaining Western; it is full of action. A nice love story is also interwoven. Based on the Zane Grey novel, and directed well by Otto Brower, it holds the spectator's interest. Wallace Beery, though a desperate bandit, proves himself a likeable villain when he falls in love with the heroine and becomes respectable for the time being. Jean Arthur is a pleasing heroine. Phillip R. Holmes, a newcomer, has a pleasing personality and is a fair-enough hero. Fred Kohler, the cabaret owner and would-be-lover of the heroine, is good as always. Chester Conklin has a small role, supplying no little comedy.

The story revolves around a daring bandit who robbed stage coaches and then appeared on the scene a few moments later to offer his help to the victims. The heroine, robbed of her expected money, is forced to take a job in the Western town as a cabaret come-on. The proprietor of the dance-hall is in love with her but she repulses him and in desperation she robs the bandit who is playing cards in the dance-hall. He learns of her plight and, having fallen in love with her, gives her the money to make life livable until she could leave the town. The hero, a magician, is held by the sheriff as the suspected bandit. He is saved by the bandit and eventually meets the heroine. They fall in love immediately. When the bandit returns to the cabin after holding up a stage coach, he finds them ready to leave town. Thinking he has been double-crossed, he at first forces the hero to surrender to the sheriff but, realizing how much the heroine loves him, he makes his escape and leaves evidence in the cabin that the hero is innocent. Thus hero and heroine are united and the bandit, unlucky in love, gets away.

HARRISON'S REPORTS TEN YEARS' OLD

With this issue Harrison's Reports closes the tenth year of its life.

It is hardly necessary to enumerate its accomplishments; it is content to let its thousands of friend subscribers and of other friends do that. But it has the right to say that through the ten years of its life, it has not been inconsistent even once. Exhibitors know where it stands and where they can find it when they need it. At the title page are the words, "A Motion Picture Reviewing Service by a Former Exhibitor, Devoted Exclusively to the Interests of the Exhibitors," and, "Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if it is to Benefit the Exhibitor." It has lived up to this declaration of principles one hundred per cent.

did not stand that in hand trying to square himself; he stood his ground, telling Fox a few plain truths. Among such truths was the shamefulness with which, as he said, the exhibitors in this territory were treated by his New York exchange forces. He pointed out, in fact, that a reorganization of those forces was necessary.

The fighting courage of Billy Brandt evidently impressed Mr. Fox, who, like other big men in the industry, is used to being "yessed." Manifestly it was a new sensation for William Fox to see some one have the courage of his convictions and stand up and say, "No!"

Bill Fox needs men like Billy Brandt to whip things into shape. His theatre department has been in a deplorable state, in such a state in fact that, according to statements from men that are supposed to know, in New England alone he has been losing twenty thousand dollars a week in the spring. (How much he is losing now it is hard to say.) There was no one in his organization to point out to him means and ways to put those theatres on a profit making basis.

It is a good thing for William Fox that he has decided to drop relatives and other driftwood and engage men with experience, ability and courage.

Independent exhibitors should feel a certain amount of pride in that fact that one of the biggest theatre owning producer-distributors has admitted that the best timber can be found among the independent theatre owners.

AGAIN ABOUT "DROPPED" PICTURES

It seems as if the subject of pictures that have been dropped by the producers from their 1928-29 production schedule is still of great interest to many exhibitors. Last week I received no fewer than five letters on the subject and, knowing that a few letters on one subject represent the sentiments of hundreds of exhibitors, I felt as if something more should be said about this matter.

This time I consulted a lawyer in an effort to get the rights of exhibitors well defined in my mind.

To discuss this matter intelligently, let us first delve into the minds of the producers to discover the motive that prompted them to take such an action:

The advent of the talking picture at a time when the producers were not prepared for it forced many of them to revise their production plans during the middle of the season.

One of the decisions some of them took was to drop a certain number of pictures from their production schedules; they felt that they would lose money if they had carried them out as they had announced them at the beginning of the season.

Another motive was their desire to make greater profits; they knew that talking pictures would bring them far greater rentals than silent pictures could under the best of conditions.

Since their object was to avoid losses and to insure themselves greater profits, it follows that if you should seek greater profits by dropping such silent pictures of theirs as you still have coming, you will be perfectly within your rights, morally as well as legally.

Let us now see whether you have any right to drop pictures or not.

The lawyer that I consulted with assured me

that, since the dropping of pictures by the producers is not excused by the contract, the exhibitor has the right to drop an equal number of pictures. And not only this, but such exhibitor has the right even to demand the cancellation of the remaining pictures on the contract on the ground of bad faith; one of the parties to a contract cannot change the terms of the contract without the consent of the other party. And the producers did so without your consent.

If you have such a grievance against a producer-distributor and feel that you cannot get justice from the arbitration board, I suggest that you consult with your lawyer with a view to bringing an action in the courts. Remember that, when you attack the entire contract, you are not obligated to submit to arbitration in accordance with the arbitration agreement in the contract.

The distributors may, of course, insist that it is a matter that comes under the jurisdiction of the arbitration board; but you are not obligated to accept their views; you have the right to demand that the courts settle whether it is arbitrable or not.

If the producer, fearing action on your part, will not inform you whether he will or will not drop any pictures, and how many he will drop, your lawyer will advise you what to do to force him to give you the information.

THE QUESTION OF PERCENTAGE

This office has received the following letter from an old exhibitor-subscriber:

"What do you think about the percentage proposition? Is it an effort to help the independent exhibitor or another move to choke him to death?"

"I have read in one of the trade papers that a detective organization is preparing to install a special representative in every film exchange center for the purpose of checking up and of reporting on exhibitors who play percentage. It must be getting pretty tough when the exchanges have to hire detective agencies to keep tab on exhibitors.

"This percentage proposition looks like the beginning of the end for the independent exhibitor. . . ."

The hiring of detectives by producers and distributors to protect their rights should not frighten any percentage playing exhibitor that reports his entire box office receipts; only "gyppers" should be frightened. And these should be driven out of business. But the forcing of percentage on unwilling exhibitors is a different matter altogether.

Harrison's Reports has never favored percentage, it is not favoring it now, and will not favor it in the future, for, even though on the face of it it seems as the only fair method of bartering for pictures, it can be successful only if every producer-distributor should turn into an angel. But no such hope. Under percentage the exhibitor will be forced to give up the lion's share of the receipts just as he is doing under the flat rental system. In addition, the producer will know all about his business. It will be up to him, then, to decide whether he shall put up a theatre in that locality or not.

This paper agrees with the sender of this letter that the death warrant of the independent exhibitor's business will be signed on the day percentage will be installed generally.

HARRISON'S REPORTS

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NOT SO HARD ON PETE WOODHULL!

In the June 22 issue of Mortensen's "Greater Amusements," a regional trade paper published in Minneapolis, there appeared an article under the heading "Woodhull's Wasted Efforts."

This article, after giving a history of the facts that led Harrison's Reports to advise you to destroy the records when they have been used fifteen times, and after discussing the act of Pete Woodhull, who attacked me for having given you such an advice, makes the following comment:

"Just why Woodhull should make this an important issue is beyond us unless he is in the employ of producers and distributors . . . Certainly the owners of the records or discs would have no interest in the matter of destroyed records, after they have been used the maximum number of times as represented by the distributor. It would seem that the logical procedure would be the destruction of the discs after completing their maximum play times, and thereby eliminate the cost to any branch of the industry in return express charges. This saving should run into a neat sum every year.

"If Woodhull is sincere and really represents that branch of the industry, often referred to as theatre owners, he might make good use of his time and office in investigating the charges made by this exhibitor through HARRISON'S REPORTS, and if these charges are substantiated, then resort to the proper publicity channels in exposing the petty larceny practice."

* * *

Though I feel thankful towards my friend Mortensen and his "Amusements" for their defense of me, I do not feel resentful towards Pete Woodhull; nothing that Pete might say in criticism of what I might print would make me take an exception, for, to begin with, he is known in the industry as a comedian and therefore no one takes seriously what he says; on top of this, this paper criticises the acts, not of agents, but of principals, and Pete is not a principal.

Pete Woodhull cannot help acting the way he does and saying the things he says, for he is the head of an organization that is now supported mainly with producer money; although M. P. T. O. A. is supposed to consist of affiliated as well as of independent exhibitors, very few independent exhibitors belong to it for the reason that, since the convention that was held in Columbus two years ago, where the M. P. T. O. A. membership gates were thrown open to producer-exhibitors, most of the independent theatre owners withdrew in protest. The few that remained contribute very little towards its upkeep, for the reason that they have no money to contribute; it has been taken away

from them in the form of high film rentals, and lately in the form also of score charges, by those whom Pete makes an effort to protect. That is why he has to attack those that are trying to uncover and put an end to the sharp practices of his friends.

I don't like to think ill of Pete. I want to keep in my mind the original picture of him, formed in the days when he was an exhibitor, in the days when he stood side by side with us, fighting for the exhibitor cause. But times change, and Pete has changed—different thoughts seem to prevail in his mind now. So when you see him condemning the Brookhart Bill, a bill that would make it impossible for his friends to keep on corrupting the morals of the American youth, when you see him appearing before legislative bodies fighting legislation that is designed to benefit your interest by curbing the insatiable greed of the producers and of the producer-exhibitors, when you see him arm in arm with representatives of the Hays organization, visiting exhibitor conventions and trying to make you believe that your salvation lies only in your becoming a member of a producer-distributor-exhibitor organization—when you see him do all these things and more, don't condemn him too severely, for he cannot help doing what he does! Just remember that he is now the head of an organization that is supported by the producers.

But just the same it is cruel that the lieutenants of Will H. Hays should let this poor fellow do their unpleasant work for them.

"MOMAND THEATRES

"Shawnee, Oklahoma

"June 25th, 1929.

"Mr. P. S. Harrison,

"New York City, N. Y.

"Dear Sir:

"With reference to the campaign of vilification being carried on against you in connection with your advice to theatre owners to destroy discs, would like to state that prior to the installation of sound equipment in any of our theatres, negotiations naturally were made for audibility in connection with certain pictures we had under contract as well as for other pictures which we had not previously bought. Various representatives of producers having sound on discs alleged that one reason the sound cost so much, namely \$7.50 or \$10.00 per day, or what not, was the fact that discs were good for one run only at the most and that it was in fact necessary to supply two sets of records to every account and that as soon as the discs were received at the Exchange from each account they were broken into little pieces and that there was no instance wherein they had ever been

(Continued on last page)

"No Defense" (PTD)—Monte Blue*(W. Bros., syn. 5,558 ft. April 6; sil. 4,712 ft. May 11.)*

A human interest story of a grade somewhat higher than program. The human interest is awakened by the fact that the hero takes the blame upon himself for bad steel furnished by the heroine's brother to build a railroad bridge with, and for the consequent collapse of the bridge; he loved the heroine and knew that her father, past middle-age, could not have stood the shock if he had learned that his son was the cause of the bad bridge material, and bravely offered to ruin his reputation to save the old man from possible death. The scene where the hero's pal, impersonated by Lee Moran, is shown throwing his arm over the hero's shoulder, expressing sympathy and understanding, is deeply pathetic. The later scenes, where the heroine calls on the hero and informs him that her brother had confessed, begging his forgiveness for having misjudged him, are also pathetic. There is comedy here and there, particularly in the beginning, where the hero is shown accepting the heroine's dare and spanking her:—

The heroine's father and her brother, a construction firm, visit the hero, a construction engineer, who was building a railroad bridge for them out in the country. Hero and heroine become acquainted and fall in love with each other. The extravagant demands of the heroine's brother's wife force the heroine's brother to buy cheaper steel so that, with what he secretly saved, he might satisfy her demands. The hero, relying on the brother's statement that the steel was good enough for the work, goes on and finishes the bridge in record time. But the bridge collapses just as the two trains, the one coming from the East and the other from the West, meet. Fortunately the hero saw the collapsing steel posts in time to warn the passengers to safety. At the investigation of the authorities, the hero takes the blame upon himself for the use of cheap material, but the heroine's brother confesses in time to send the heroine to the hero's quarters to prevent the hero from leaving and to inform him that her father had decided again to employ him for the rebuilding of the bridge.

J. Raleigh Davis wrote the story; Lloyd Bacon directed it. Mr. Blue does good work; so does Miss McAvoy. The voices of both register better than they have registered in any other talking picture they have so far appeared in. Lee Moran does good work, too; so does William Tooker, as the father, and William Desmond, as the brother of the heroine.

"Some Mother's Boy"—with Mary Carr and Jason Robards*(Rayart; 6,901 ft., 68 to 84 min.)*

Mediocre! The story is incredulous though the theme of mother love which it portrays may have an appeal in the very small neighborhood or the remote country theatres.

The first part shows two crooks attempting to make their escape from detectives after they had robbed a jewelry salesman. One is shot and the other (hero), believing that his pal is killed, makes his way to the dead man's home and pretends to be the long lost son of his pal's aged mother. He meets the heroine, a neighbor, daughter of the wealthy hotel owner, and they fall in love. He at first has a hard time to keep from robbing his supposed mother and his employer (the heroine's father), but at last he reforms and is ready to settle down in the town when the supposed dead man comes to the hotel and forces the hero to rob the safe. When the mother comes to the hotel to bring the hero his lunch, she learns that her own son had been killed by crooks who, too, had come to rob the safe. The hero tells her that her son had been killed while protecting someone's property and she believes it. She tells the hero that she knew he was not her son but that since she loved him because he was some mother's boy, she would keep his identity a secret.

Mary Carr is a pathetic and appealing little mother. Jason Robards is not bad as the hero. Jobyna Ralston is the heroine. Others are M. A. Dickinson and Henry Barrows. Duke Worne directed it from the story by Arthur Hoerl.

"Anne Against the World"—with Shirley Mason*(Rayart; Apr. 15; 5,732 ft.; 66 to 81 min.)*

Fair for a double program bill. The story is familiar but there are several good performances which raise it out of the mediocre class. Miss Mason is a vivacious heroine, a dancer loved by many men. Jack Mower is a pleasing

hero, a wealthy man who pretends to be an imposter to prove to the heroine that the stage life was not so glorious when you are down and out. James Bradbury, Jr., as her pal, also platonically in love with the heroine, and his sweetheart, Isabel Keith, also her pal, are a very good quarreling couple who supply the comedy. Thomas C. Curran, in love with the heroine, who wanted her for his mistress and who turned her down when she was in trouble because she would not have him, is fair enough. Others are Henry Roquemore, Bella Stoddard and Billy Franey. Duke Worne directed it well enough from the story by Victor Thorne:—

When the heroine learns that her husband is an imposter, instead of divorcing him, she seeks work in cabarets to help support them both. Her pals induce him to leave her so that she might stage a comeback, to which he agrees. She seeks the man whom her husband pretended to be and learns that her husband had pretended to be the crook so that she might learn that their love was worth more than the glittering stage, which was kind to those that are successful but so cold to the has-beens.

"Fashions in Love" (ATFD)—Adolphe Menjou*(Par., June 29; syn. 6,325 ft.; sil. 6,024 ft.)*

This is a high comedy, the kind that is usually appreciated by cultured picture-goers to a greater degree than by those of the rank and file. Nevertheless it is a good comedy just the same, not so much because of the story, but because of the good direction and acting, not to mention the lavish sets. Mr. Menjou is presented as a pianist of renown, who is unable to take care of himself; he is like a child. And he impersonates such a role to perfection. Being irresistible to women, he eventually puts himself into trouble when he invites a friend doctor's young wife to his cabin in the woods; she was so infatuated with him that she pursued him. The hero's patient wife learns from the doctor where the pair had gone (he had been informed of it by an anonymous letter) and the two go to them. The doctor and the heroine offer to bargain with the hero and with the doctor's wife for divorces. Suddenly the hero realizes that he loves the woman who, as his wife, had been devoting great care in looking after his comfort, and begs her to forgive him. The doctor, too, forgives his wife and takes her home.

A few of the situations are somewhat broad, but there is nothing wrong with the picture for the reason that the hero, although women "chase" him constantly, is shown more bored with the doctor's wife than assuming the role of a sheik. The scenes that show the hero almost out of breath while walking up the rather steep hill to reach his cabin in contrast with the heroine's sprightly step make the spectator laugh heartily. The scenes in the cabin, where the hero is shown bored by the woman's adulations, too, are comedy provoking.

Under the direction of Victor Schertzinger, Mr. Menjou does as good work as he did in "A Woman of Paris." He has a slight foreign accent (French), but it is not unpleasant. His voice registers well. Fay Compton, too, does good work as the hero's gentle and patient wife. John Miljan, as the doctor, and Miriam Seeger, as the doctor's butterfly wife, do excellent work.

"Two Weeks Off"—Jack Mulhall and Dorothy Mackail

This picture was reviewed in last week's issue and rated as fairly entertaining. At the Strand, where the picture was shown, however, it made a great hit. In some parts spectators veritably howled with laughter. The good pictures are so few and far between that you cannot afford to overlook a good one when it comes along. So if you have it booked, advertise it strongly. Besides, the greater number will attend the performances the greater satisfaction it will give, because it is a comedy.

"Four Devils" (PTD)—Janet Gaynor and Charles Farrell*(Fox, rel. date not yet set; syn. 9,195 ft.; sil. 9,496 ft.)*

This picture was reviewed in the issue of October 13, 1928. The rating that was given to it in that review was not very high. Fox, however, retook the last one thousand feet or so with talk. But the talk is not of long enough duration to class this picture even as a part talker. Such talk is not enough to satisfy the average picture-goer.

As far as entertainment quality is concerned, the part-talk version is not better than the silent version.

"Two Sisters"—with Viola Dana*(Ryart, April 1; 5,161 ft.; 60 to 73 min.)*

The rusty idea of one player's impersonating twins has been dug out by Ryart and has been made into a mediocre crook melodrama. One of the twins is shown as being honest and as making every possible effort to get away from her sister, a bobbed hair bandit, but she is not shown doing anything that would win the friendship and good will of the picture-goer. She might have won his good will had she been shown reforming her sister instead of being compelled to deliver her to the authorities. The fact that the son of a wealthy mother falls in love with a woman he did not know anything about appears to be illogical. There are no thrills in the scenes where the authorities are shown catching the crooks, who had kidnapped the heroine and had installed her sister, the bobbed hair bandit, in her place.

The story is by Virginia Terhune Vandewater. It was directed by Scott Pembroke. Rex Lease plays opposite Viola Dana. Some of the others in the cast are Claire DuBrey, Irving Bacon, Boris Karloff, Tom Curran.

**"Behind That Curtain" (ATF)—
Special Cast***(Fox, June 30; syn. 8,455 ft.; sil. not yet fixed)*

"Behind That Curtain" will be justly considered one of the best produced talking pictures that have come out of the Fox studios to this date. From the entertainment point of view it is very good. Although there is not great originality in the construction of the plot, intelligent direction and acting have made it appear as if it were original. It is a murder mystery melodrama, in which the hero, a British gentleman, is suspected of having committed the murder, and in which and intelligent Scotland Yard man is shown bent upon solving the mystery and detecting and arresting the murderer. There is a love affair in it, too, which is so well acted that one's sympathy never deserts those involved in it. The scenes in China where the Scotland Yard man arrives in search of the murderer; the later scenes that show him flying in an aeroplane and landing near the caravan of the hero, an explorer, are suspenseful. What makes the picture a living document are the fine touches from life that have been incorporated into the action. For instance, the Hindus, who formed the hero's caravan, are shown living a life that is true to life—they talk, and sing, and act just as Hindus would have talked and sung and acted in real life; one is made to feel as if being in India amongst Hindus:—

The hero, an explorer, returns from India to London and calls on his friend, a British nobleman, and his niece (heroine). To his surprise he finds the heroine much in love with the villain; he had played upon her emotions and had gained her love in that manner. The uncle disapproves of the love affair and begs the hero to help him break up the match, informing him that he would not object if he were to marry her himself. The villain calls on the uncle and they have a scene; he is informed by the lord that he expected certain papers from a detective in London, which would prove that he, the villain, was unworthy to be the husband of his niece. The heroine resents the remarks her uncle had made about the villain and informs him that they had been married the night before. The lord is heart-broken and orders her from the house. The following morning the detective is found murdered and Scotland Yard sets out to apprehend the murderer. A pair of slippers, presented to the hero by the Emperor of China, and found on the dead man's feet, furnish the only clue. The Scotland Yard man goes to India where the hero had gone. Accidentally hero and heroine meet again. The villain mistreats the heroine. She receives a letter from a person in London informing her that her husband had committed the murder; the informer had been blackmailing the villain and when money was not forthcoming he sent the letter. The heroine runs away in distraction and goes to the hero and begs him to take her along to the desert where he was going. The hero at first refuses to take her along, but the heroine insists on going, although she does not reveal to the hero her reasons for trying to get away from her husband. The Scotland Yard detective arrives and calls on the villain. When he hears of the disappearance of the heroine, the Scotland Yard man takes the villain along and flies to the hero's camp in the desert. The hero denies that the heroine is there and the detective and the villain prepare to return. Just as the villain had gone out of the tent the detective tells the hero that he knew the heroine was there, but that he thought it

unnecessary to embarrass him by making him produce her. The hero promises to bring the heroine to him on the following day, but he returns three days later and informs him that the heroine had disappeared. Several months later the detective and the hero, still on the trail of the heroine and of the villain, trace them to San Francisco, the heroine having gone there to hide so that she might not be forced to tell the authorities that her husband was the murderer, and the villain, to get hold of the letter which his blackmailer had written to her, the only evidence that would convict him; he had murdered also the blackmailer. The villain finds the heroine and attempts to take the letter away from her, but she eludes him and rushes to the hall where the hero was giving a lecture on the Indian desert so as to warn him of the danger to his life. The villain arrives there, too, and when the detectives are about to arrest him he pulls out his gun and shoots. He hits the Scotland Yard man in the arm, but not seriously. The villain is shot and killed by a Chinese detective. Heroine and hero are free to find happiness in their love for each other.

The plot has been founded on the story by Earl Derr Biggers. Warner Baxter does excellent work. So does Lois Moran, who shows great ability as a "talking" actress. But the acting honors should go to Mr. Gilbert Emery, who impersonates the Scotland Yard detective. Irving Cummings directed it.

EXTRACTS FROM SENATOR BROOKHART'S SPEECH IN CONGRESS

"The bill I have just introduced is designated to preserve for the American people the remaining vestige of competition in the motion picture industry and to create conditions under which, it is hoped, new competition may spring up. . . .

"The result is to be attained by making unlawful the unfair and oppressive measures employed by the great producers and distributors in their competitive warfare against independent producers, distributors, and theatre owners. . . ."

After a review of the acts of the producers in the forming of their organization and in the calling Mr. Hays to head it, a fact which worked against the "independent" men in the motion picture industry, Mr. Brookhart says:

"To make uniform the imposition of these onerous conditions and many others, a standard film-rental contract was devised and put into effect by all members of the Hays organization. The signing of such a contract is a condition precedent to the right to buy films. A Pennsylvania judge, in awarding an injunction against this contract, characterized it as utterly one-sided. It not only lacks mutually, but there is an element of coercion in it, since an exhibitor cannot obtain the necessary product to run his house without signing the contract.

"The subjugation of the exhibitor is made complete by a provision requiring him to submit all disputes arising under the contract to arbitration and to comply with the award. . . .

"These Kangaroo courts sit in 32 cities of the United States and an exhibitor, who enjoys the right to be sued in the place of his residence by the organic law, frequently must travel long distances and to go out of his State to respond to the summonses of these coercive tribunals.

"Nor do these bodies practice arbitration in the true sense of the term. They do not decide controversies according to right and justice. They merely compel specific performance of these one-sided contracts. . . .

"Never before was any group of business men so completely subjugated as are the independent theatre owners of the United States. . . .

"My bill is designed to outlaw the blind booking, block-booking, and arbitrary allocation of films. . . . It will have the effect to vest in the owner of the family theatre the right of selection in buying films. . . .

"In addition I have made a provision for outlawing any system of compulsory arbitration imposed on exhibitors by a uniform contract against the will of the exhibitor at the time the agreement is made; also for outlawing any form of enforcing arbitration or arbitration awards which involves the coercive action of persons not parties to the immediate controversy. . . .

"This bill will doubtless meet with the horrified cry of 'Government regulation,' as the former. Such regulation, if it comes, will be due solely to the grasping policy and oppressive practices of the producers. . . . As regards to the exhibitors, . . . they do not desire Government regulation as such, but they would rather remain in business with regulation than to be driven out of business for want of it."

enabled to service an account a second time with a set of discs.

"These statements were made as freely as any other statements ever are made by representatives of film exchanges, but commencing with the first shipments at each point where apparatus was installed, the writer was personally present and was amazed to find discs that were old and had markings ranging between twenty and forty times. We are, of course, paying several times the value of moving pictures and several times the value of discs. I wish it were entirely practical from every standpoint to put into effect the principle that theatre owners should return the discs broken in each and every case.

"Whether theatre owners would be legally within their rights in this matter I am not in a position to state, but morally there is no question but that they would be right if they would break the discs and also the (deleted) heads of the (deleted) who have again double-crossed them and of course they have done it with the sanction and upon the demands and under the lash of the whip of the executive (deleted) in New York.

"Let's organize the United States into States with a view of putting 100% of all Independent Theatre Owners behind their Senators and Congressmen to secure the passage of the Brookhart Bill, amended to give the Federal Trade Commission, or Motion Picture Commission, complete and full authority for the control of motion picture production, distribution and exhibition, with the control of film rentals reduced to a science in accordance with the suggestion outlined in my recent letter to Senator Brookhart, copy of which was sent you.

"Your very truly,
"MOMAND THEATRES, INC.,
"A. B. Momand, *President*."

TIFFANY STAHL LETS THE CAT OUT OF THE BAG!

The following is part of a letter received from a New England exhibitor:

"We want your advice on a matter concerning Tiffany-Stahl. . . . We bought their 1928-29 product and have used them as released up to a while ago. When we did not receive a list of their releases we asked if they had any pictures available, and they replied that they did not, except one, called 'HORSHOES.' It does not seem to be a Tiffany-Stahl picture. The press sheet says, PEERLESS PRODUCTIONS. We have not played it. In the meantime we read in your REPORTS about 'Ghetto' and 'Lucky Boy.' . . .

"Recently they sent us another press sheet for an available picture. It is 'The Physician,' with an English cast. We wrote and asked what picture on our contract is this, as so many are not titled, and they answered that 'OLD SHOES' takes the place of Jack London production, No. 4, and 'The Physician,' of Peter B. Kyne, No. 2. . . ."

* * *

This is why Tiffany-Stahl refused to make public a list of their latest releases.

If what this exhibitor reports to this office is an accurate description of the facts, Tiffany-Stahl has become a worse offender than even the worst of the big producer-distributors. Fox and others made substitutions, but they at least tried to pass

on you home-made pictures; Tiffany-Stahl is trying to pass on you foreign-made pictures. They are trying to give you "The Physician," which has been founded on the stage play by Henry Arthur Jones, for a picture that was to be founded on a Peter B. Kyne story.

The act of their trying to pass on those that bought their 1928-29 product an old picture, whether it is "Horseshoes" or "Old Shoes," for a picture that was to be founded on a Jack London story, too, is an effrontery.

This is the time of the season when salesmen call on you to solicit your business. If a Tiffany-Stahl film salesman should call on you, remember "Old Shoes," "Horseshoes," "The Physician," and "Ghetto."

WARNER BROS. SUBSTITUTIONS

THE GREYHOUND LIMITED (No. 219): According to the contract, the theme of this picture was to deal with an engineer of a limited who loses his position because of an accident for which he was not responsible; the finished product deals with two railroad pals, one of whom thinks that his pal had stolen his sweetheart. He takes to drink and loses his job. He is nearly hanged for a murder he had not committed, but for the timely aid of the heroine, who had learned of the identity of the real murder. It is a theme substitution, and a fair arbitration board should release you of it.

ONE STOLEN NIGHT (No. 220): The following description of this picture is given in the contract: "A young American girl betrothed to an Englishman by mutual consent of their parents is kidnapped by a sheik. After a highly romantic adventure with the sheik she learns next morning that he is none other than her English betrothed." The story of the finished product deals with a stranded Parisian troupe in the desert: The heroine is sold to a sheik as a native girl. She is found to be a white girl, is rescued by her sweetheart, also a member of the troupe and former soldier, in disguise, shielding his brother, who had committed a theft; the brother eventually confesses. The author is the same but the story is not, although the themes bear some resemblance with each other. Whether, however, you can call it a substitution or not it will be up to you to determine.

BEWARE OF BACHELORS (No. 225): "No Questions Asked" is the original title, but according to the contract, this was to be a farcical comedy, dealing with the early life of a young married couple, whose marital bark is rocked by another man, an expert on perfumes; the finished product deals with a husband who is promised by his father \$50,000 if he and his wife should live together for one year. A vamp and a cousin of the hero attempt to separate them, but the couple remain together, eventually winning out. It is a story substitution and you are not obligated to accept it.

HARRISON'S REPORTS AND LOW FILM RENTALS

"It is apparent that there has come a change in the matter of talk rentals. Almost overnight the prices have tumbled. . . . And when the exhibitor sits down to take stock of his victory, he should waft a kiss in the direction of Pete Harrison, who has been important in framing up opinion."—*Epes Sargent in Zit's*.

HARRISON'S REPORTS

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No. 27

(Semi-annual Index—First Half of 1929)

Alibi—United Artists	66	Hot Stuff—First National	70
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Annapolis—Pathe	22	Idle Rich, The—M-G-M	99
Apache, The—Columbia	23	Innocents of Paris—Paramount	70
Awakening, The—United Artists	3	In Old Arizona—Fox	15
Behind Closed Doors—Columbia	55	It Can Be Done—Universal	58
Betrayal, The—Paramount	74	Iron Mask—United Artists	34
Bellamy Trial, The—Metro-Goldwyn-Mayer	18	Jazz Age, The—FBO	11
Beware of Batchelors—Warner Bros.	15	Joy Street—Fox	94
Black Watch, The—Fox	87	Kid Gloves—Warner Bros.	82
Black Waters—World Wide	59	Kid's Clever, The—Universal	38
Blindfold—Fox	3	Lady of Chance, A—Metro-Goldwyn-Mayer	11
Blockade—RKO	82	Lady of the Pavement—United Artists	43
Bridge of San Luis Rey, The—M-G-M	83	Last Warning, The—Universal	7
Broadway—Universal	90	Leatherneck, The—Pathe	58
Broadway Babies—First National	102	Letter, The—Paramount	42
Broadway Fever—Tiffany-Stahl	27	Little Wildcat, The—Warner Bros.	14
Broadway Melody—Metro-Goldwyn-Mayer	26	Lone Wolf's Daughter, The—Columbia	39
Brothers—Rayart	62	Looping the Loop—Paramount-UFA	26
Bulldog Drummond—United Artists	74	Love and the Devil—First National	83
Bushranger, The—Metro-Goldwyn-Mayer	30	Loves of Casanova—M-G-M	74
Canary Murder Case, The—Paramount	43	Lucky Boy—Tiffany-Stahl	6
Captain Lash—Fox	22	Madame X—M-G-M	75
Carnation Kid, The—Paramount	35	Making the Grade—Fox	67
Careers—First National	99	Man I Love, The—Paramount	86
Case of Lena Smith, The—Paramount	10	Man in Hobbles, The—Tiffany-Stahl	15
Charlatan, The—Universal	62	Man's Man, A—M-G-M	91
Cheyenne—First National	39	Marquis Preferred—Paramount	14
Children of the Ritz—First National	58	Million Dollar Collar—Warner Bros.	34
China Bound—M-G-M	90	Molly and Me—Tiffany-Stahl	62
Chinatown Nights—Paramount	54	Montmartre Rose—Excellent	82
Clear the Decks—Universal	54	Movietone Follies—Fox	86
Close Harmony—Paramount	71	Mother's Boy—Pathe	78
Cocoanuts, The—Paramount	87	Moulin Rouge—World Wide	30
Cohens and Kellys in A. C., The—Universal	47	Napoleon—Gaumont-Metro-Goldwyn	19
Conquest—Warner Bros.	27	Naughty Baby—First National	14
Coquette—United Artists	59	New Year's Eve—Fox	63
Dancing Vienna—First National-Defu.	30	Night Club—Paramount	51
Dangerous Woman, A—Paramount	82	Noah's Ark—Warner Bros.	46
Desert Nights—M-G-M	75	Noisy Neighbors—Pathe	31
Desert Song, The—Warner Bros.	75	Nothing But the Truth—Paramount	67
Devil's Apple Tree, The—Tiffany-Stahl	47	Not Quite Decent—Fox	74
Divine Lady, The—First National	50	Object—Alimony—Columbia	27
Doctor's Secret, The—Paramount	22	Office Scandal, The—Pathe	35
Donovan Affair, The—Columbia	70	On With the Show—Warner Bros.	91
Drag—First National	103	One Stolen Night—Warner Bros.	71
Duke Steps Out, The—M-G-M	63	One Woman Idea, The—Fox	95
Dummy, The—Paramount	38	Pagan, The—M-G-M	78
Eternal Love—United Artists	78	Prisoners—First National	95
Eternal Woman, The—Columbia	59	Queen of the Night Club—Warner Bros.	46
Faker—Columbia	38	Quitter, The—Columbia	66
Fall of Eve, The—Columbia	98	Rainbow, The—Tiffany-Stahl	47
Fancy Baggage—Warner Bros.	90	Rainbow Man, The—Paramount	71
Far Call, The—Fox	90	Red Hot Speed—Universal	23
Father and Son—Columbia	91	Redeeming Sin, The—Warner Bros.	30
Flying Fleet, The—Metro-Goldwyn-Mayer	26	Rescue, The—United Artists	10
Four Feathers, The—Paramount	98	Redskin—Paramount	22
From Headquarters—Warner Bros.	99	Red Sword, The—RKO	66
Fugitives—Fox	50	Restless Youth—Columbia	6
Gentlemen of the Press—Paramount	79	Red Wine—Fox	27
George Washington Cohen—Tiffany-Stahl	82	River, The—Fox	2
Ghost Talks, The—Fox	31	Romance of the Underworld—Fox	7
Girl on the Barge, The—Universal	35	Saturday's Children—First National	70
Girls Gone Wild—Fox	67	Scandal—Universal	71
Give and Take—Universal	2	Scarlet Seas—First National	6
Glad Rag Doll, The—Warner Bros.	91	Seven Footprints to Satan—First National	50
Godless Girl, The—Pathe	54	Shady Lady, The—Pathe	6
Greyhound Limited, The—Warner Bros.	55	Shakedown, The—Universal	58
Gun Runner, The—Tiffany-Stahl	2	Shanghai Rose—Rayart	79
Hardboiled—RKO	35	She Goes to War—United Artists	95
Hard Boiled Rose—Warner Bros.	98	Ships of the Night—Rayart	58
Hearts in Dixie—Fox	39	Shopworn Angel—Paramount	2
Hey, Rube—RKO	47	Show Boat—Universal	67
High Voltage—Pathe	103	Side Show, The—Columbia	30
His Captive Woman—First National	63	Single Man, A—Metro-Goldwyn-Mayer	11
Hole in the Wall, The—Paramount	62	Sin Sister, The—Fox	46
Honeymoon—M-G-M	55	Sins of the Father—Paramount	18
Honky Tonk—Warner Bros.	95		
Homesick—Fox	18		

Smoke Bellew—First Division	19
Sonny Boy—Warner Bros.	43
Speakeasy—Fox	42
Spieler, The—Pathe	14
Spies—Metro-Goldwyn-Mayer	42
Spirit of Youth, The—Tiffany-Stahl	43
Spite Marriage—M-G-M	55
Squall, The—First National	78
Square Shoulders—Pathe	94
Stairs of Sand—Paramount	103
Stark Mad—Warner Bros.	74
Stolen Kisses—Warner Bros.	66
Stolen Love—FBO	7
Strange Cargo—Pathe	23
Strong Boy—Fox	55
Syncopation—RKO	59
Synthetic Sin—First National	7
Sunset Pass—Paramount	26
Taking a Chance—Fox	11
Taxi 13—FBO	10
This Is Heaven—United Artists	54
Three Passions, The—United Artists	75
Through Different Eyes—Fox	62
Thunderbolt—Paramount	102
Tide of Empire—Metro-Goldwyn-Mayer	50
Times Square—Gotham	95
Trent's Last Case—Fox	86
Trial Marriage—Columbia	58
Trial of Mary Dugan, The	63
Tropic Madness—FBO	11
True Heaven—Fox	26
Two Weeks Off—First National	102
Valiant, The—Fox	79
Veiled Woman, The—Fox	103
Voice of the City—M-G-M	70
Weary River—First National	19
West of Zanzibar—Metro-Goldwyn-Mayer	3
Wheel of Life, The—Paramount	102
Where East Is East—M-G-M	87
Why Be Good?—First National	79
Wild Orchids—M-G-M	59
Wild Party, The—Paramount	54
Wolf of Wall Street—Paramount	18
Wolf Song—Paramount	34
Woman From Hell—Fox	94
Woman I Love, The—RKO	71
Woman of Affairs, A—Metro-Goldwyn-Mayer	19
Younger Generation, The—Columbia	42

FEATURE PICTURE RELEASE SCHEDULES

Columbia Features

Trial Marriage (S)—N. Kerry-S. Eilers.....	Mar. 10
Eternal Woman (Little Wildcat)—Borden.....	Mar. 18
The Quitter—B. Lyon-D. Revier.....	Apr. 1
Donovan Affair (AT)—J. Holt-D. Revier.....	Apr. 11
Father and Son (PTFD)—J. Holt-D. Revier.....	May 13
The Bachelor Girl (PTDF)—Collier, Jr.-Logan.....	May 20
Flying Marine (PTDF)—Ben Lyon-S. Mason.....	June 3
Fall of Eve (ATFD)—F. Sterling-P. R. Miller.....	June 10

Excellent Features

Montmartre Rose—M. De La Motte (reset).....	Mar. 15
Roses of Picardy—Rex Ingram Prod. (reset).....	Apr. 1
One Splendid Hour—Viola Dana-A. Simpson.....	Apr. 15

First National Picture Release Schedule and Exhibition Values

518 Cheyenne—Feb. 3	700,000B	700,000P
553 His Captive Woman (Changeling) (PTD)—Sil., Feb. 3; Syn., Apr. 7.....	Special	
497 Children of the Ritz (SD)—Sil. Feb. 17—Syn. Mar. 3.....	900,000B	
492 Love and The Devil (Capt. of Strong)—Sil., Feb. 24; Syn., Mar. 24.....	950,000B	
522 Why Be Good? (SD)—Sil. Mar. 3—Syn. Mar. 17	Special	
480 Saturday's Children (PTD)—Sil. Mar. 10—Syn. Apr. 14.....	1,300,000B	
519 California Mail—Apr. 7	700,000B	
506 House of Horror (Sh! the Octopus) (PTD)—Sil., Apr. 7; Syn., Apr. 28.....	800,000B	
550 Divine Lady (SD)—Sil. Apr. 14—Syn. Mar. 31.....	Special	
503 Hot Stuff (Bluffers) (PTD)—Sil., Apr. 21; Syn., May 5	1,100,000B	

516 Royal Riders—May 5.....	700,000B
499 Two Weeks Off (PTD)—May 12	900,000B
479 Prisoners (Paid For) (PTD)—May 19..	1,300,000B
554 The Squall (ATD)—Syn., May 26; Sil., June 23	Special
487 Careers (ATD) (Heart of a Princess)—June 2	1,100,000B
498 Girl in Glass Cage (PTD)—Syn., June 23; Sil., July 7 (re.).....	800,000B
505 Broadway Babies (ATD) (On the Air)—Syn., June 30; Sil., July 14 (re.).....	Special
555 Man and Moment (La Tosca) (PTD)—Syn., July 7 (reset)	Not set
585 Twin Beds (ATD)—Syn., July 14 (re.).....	Not set
483 Drag (Diversion) (ATD)—Syn. and Sil., July 21	Not set
523 Smiling Irish Eyes (ATD)—Syn., July 28; Sil., Aug. 4.....	Not set
564 Hard to Get (ATD)—Syn., Aug. 4.....	Not set
494 Dark Street (PTD) (The Spotter)—Syn., Aug. 11	Not set
575 Careless Age (ATD)—Syn., Aug. 18.....	Not set
488 Her Private Life (PTD)—(The Other To-morrow)—Syn., Aug. 25.....	Not set

Fox Features

11 Far Call (R.R.R.) (SF)—Morton-Hyams.....	Apr. 28
3 Protection (Lipstick) (SD)—Elliott (re).....	May 5
28 Joy Street (SF)—Moran-Stuart (re).....	May 12
The Valiant (ATF)—Paul Muni	May 12
Fox Movietone Follies (ATF)—Carol (re.).....	May 26
25 One Woman Idea (SF)—LaRocque-Day (re.).....	June 2
Black Watch (ATF)—McLaglen-Loy (re.).....	June 2
23 Exalted Flap. (Kisses for Sale) (SF) (re.).....	June 9
No release scheduled	June 16
15 Masked Emotions (Stg. Dr. D.'s) (SF) (re.).....	June 23
Behind That Curtain (ATF) (re.).....	June 30
14 Black Magic (Vamp. a la Mode) (SF) (re.).....	July 7
Pleasure Crazy (ATF)—Burgess (re.).....	July 7
Masquerade (ATF)—Bir'ingh'm-Hyams (re.).....	July 14
Words and Music (ATF)—Moran-Percy.....	July 21
10 Chasing Thru Europe (SF)—Stuart-Carol.....	Postponed

Metro-Goldwyn-Mayer Features

919 Spite Marriage (S)—B. Keaton	Apr. 6
908 The Voice of the City (AT)—Ames.....	Apr. 13
954 The Great Power (AT)—Gombel	Apr. 20
946 Sioux Blood—Tim McCoy	Apr. 20
934 The Pagan (PT)—R. Novarro	Apr. 27
940 Where East Is East (S)—Lon Chaney.....	May 4
947 Desert Rider—Tim McCoy-R. Torres.....	May 11
913 China Bound—Karl Dane-G. Arthur.....	May 18
917 A Man's Man (S)—Wm. Haines-J. Dunn.....	May 25
1001 B'way Melody (ATN)—King-Page-Love.....	June 1
1002 Trial of Mary Dugan (ATN)—N. Shearer.....	June 8
1003 The Idle Rich (ATN)—Nagel-Love-Hyams.....	June 15
No release set for.....	June 22
905 Wonder of Women (PT)—Stone-Hyams.....	June 29
941 Thunder (S)—Chaney-Murray-Haver	July 6
924 Last of Mrs. Cheney (AT)—Shearer.....	July 13
920 Marianne (AT)—M. Davies-O. Shaw.....	July 20
928 Single Standard (S)—G. Garbo-N. Asther.....	July 27

Paramount Features

2861 Wolf of Wall St. (ATFD)—Bancroft (re.).....	Feb. 9
2865 Canary Murder Case (ATFD)—Pow. (re.).....	Feb. 9
2840 The Homecoming (SD)—Hanson-Parlo	Feb. 16
2883 Night Club (ATD)—Brice-Rooney	Feb. 23
2884 Pusher-In-The-Face (ATD)—Hitchcock.....	Feb. 23
2867 Redskin (SD)—R. Dix-G. Belmont.....	Feb. 23
2827 The Carnation Kid (MTD)—D. MacLean.....	Mar. 2
2886 The Dummy (ATFDN)—Chatterton (re.).....	Mar. 9
2841 Looping the Loop (SD)—(Ger.)—Krauss.....	Mar. 16
2863 Chinatown Nights. (ATFD) (Tong) (re.).....	Mar. 23
2864 Wolf Song (PTD)—Cooper-Velez	Mar. 30
2857 Wild Party (ATFD) (Sat. Nt. K.) (re.).....	Mar. 30
2872 The Letter (ATD)—Jeanne Eagels.....	Apr. 13
2889 Close Harmony (ATFDN)—Rogers (re.).....	Apr. 13
2890 Nothing But Truth (ATFDN)—Dix (re.).....	Apr. 20
2888 Hole in the Wall (ATDN)—C. Colbert.....	Apr. 27
2893 Gentlemen of Press (ATFDN) (re.).....	May 4
2860 Betrayal (Ellis Island) (SD)—E. Jannings.....	May 11
2894 Dangerous Woman (Woman Who Needed Killing) (ATFDN)—Baclanova (re.).....	May 18
2895 The Rainbow Man (ATFDN)—E. Dowling.....	May 18
2881 Innocents of Paris (ATFD)—Chev. (re.).....	May 25
2876 Man I Love (ATFD)—Arlen-Brian. (re.).....	May 25
2891 Studio Murder Mystery (ATFDN)—(re.).....	June 1

2826	Stairs of Sand—W. Beery-J. Arthur.....	June 8
2803	Wheel of Life (ATFD)—Dix-Ralston (re.).....	June 15
2808	Thunderbolt (AFTD)—Bancroft (re.).....	June 22
2823	Fashions in Love (Conc't.) (ATFD)—(re.).....	June 29
2828	Div. Made Easy (ATFD)—MacLean (re.).....	July 6
2858	Dangerous Curves (ATFD)—Bow (re.).....	July 13
2816	Riv. of Rom. (Man Must F') (ATFD) (re.).....	July 30
2953	The Cocoanuts (ATF)—Marx Bros.....	Aug. 3
2928	Hungarian Rhapsody (SD)—UFA Prod.....	Aug. 3
2952	Myst. Dr. Fu Manchu (AT)—W. Oland.....	Aug. 10
2978	Charming Sinners (AT)—Clive Brook.....	Aug. 17
2929	Soul of France (SD).....	Aug. 24
2964	Greene Murder Case (AT)—Wm. Powell.....	Aug. 31

Pathe Features

9523	The Godless Girl (PT)—All Star.....	Mar. 31
9525	Mother's Boy (ATDFN)—Morton Downey.....	May 12
9540	High Voltage (ATDF)—Wm. Boyd (re.).....	May 19
9535	The Flying Fool (ATDF)—Wm. Boyd.....	Not set

Rayart Features

Two Sisters—V. Dana-R. Lease.....	Apr. 1
Anne Against the World—S. Mason-J. Mower.....	Apr. 15

RKO (FBO) Features

92013	Yellowback—Tom Moore.....	Apr. 7
9235	Amazing Vagabond—Bob Steele.....	Apr. 7
9226	Idaho Red—Tom Tyler.....	Apr. 21
9255	Big Diamond Robbery—Tom Mix.....	May 13
9246	Little Savage—Buzz Barton.....	May 19
92010	Woman I Love—M. Morris-N. Kerry.....	May 26
9236	Laughing at Death—Bob Steele.....	June 2
9227	Pride of Pawnee—Tom Tyler.....	June 9
9247	Pals of the Prairie—Buzz Barton.....	July 7

United Artists Features

Coquette (AT)—Mary Pickford.....	Apr. 12
Alibi (Nightstick)—Chester Morris.....	Apr. 20
Eternal Love (S)—J. Barrymore.....	May 11
Three Passions (S)—A. Terry-I. Petrovitch.....	June 1
This Is Heaven (PT)—Vilma Banky.....	June 22
She Goes to War (PT)—Eleanor Boardman.....	July 13
Bull Dog Drummond (AT)—R. Colman.....	Not set

Universal Features

A5768	The Charlatan (PTF)—M. Livingston.....	Apr. 7
A379	Plunging Hoofs—Rex-Perrin.....	Apr. 14
A5763	Scandal (Htd. L.) (PTF)—LaPlante (re.).....	Apr. 21
A373	Eyes of the Underworld—Cody.....	Apr. 28
A380	The Border Wildcat—Wells.....	May 19
A5757	His Lucky Day (PT)—R. Denny.....	June 2
A5770	Come Across (PT)—L. Basquette-Finch.....	June 2
A5767	Winged Horseman (Blow)—Gibson (re.).....	June 16
A5770	Come Across (PT)—L. Basquette (re.).....	June 30
A5769	Modern Love (You C't Buy L) (PT) (re.).....	July 7
A5760	Melody Lane (Play Goes On) (PT) (re.).....	July 14
A5753	Love Trap (That Blonde) (PT) (re.).....	July 21
A5749	Points West—Hoot Gibson.....	Aug. 25
A5746	One Rainy Night (PT)—La Plante.....	Aug. 25

Warner Bros.

The Redeeming Sin (PTD)—D. Costello.....	Apr. 6
No Defense (PTD)—M. Blue.....	Apr. 6
Queen of the Night Clubs (AT)—T. Guinan.....	Apr. 13
224 Stolen Kisses (PTD)—May McAvoy.....	Apr. 13
221 One Stolen Night (PTD)—B. Bronson.....	Apr. 20
222 Kid Gloves (PT)—Conrad Nagel.....	Apr. 27
232 Hard Boiled Rose (PTD)—Myrna Loy.....	May 4
The Desert Song (PTD)—All Star.....	May 11
Sonny Boy (PTD)—Davey Lee.....	May 18
233 Frozen River (PT)—Rin-Tin-Tin.....	May 25
229 From Headquarters (PTD)—Monte Blue.....	June 6
The Glad Rag Doll (Al. An.) (PTD)—Cos.....	June 8
Time, Place, Girl (ATD)—all star (pre-re.).....	June 8
Noah's Ark (PTD)—O'Brien-Costello (pre-re.).....	June 15
Madonna of Ave. A (PTD)—Costello (pre-re.).....	June 22
Gamblers (PTD)—Wilson-Warner (pre-re.).....	June 29
On With the Show (ATD)—All Star (pre-re.).....	July 13

World Wide Features

Berlin After Dark—Gerron-Stahl.....	Mar. 31
Black Waters (AT)—John Loder.....	Apr. 14
Week End Wives—Monty Banks-E. Brody.....	May 25
Piccadilly (PT)—Gilda Gray-A. May Wong.....	June 1
The Doctor's Women (S)—Miles Mander.....	June 1
Kitty (PT)—Estelle Brody-J. Stuart.....	June 15
Prince and the Dancer (S)—A. Pauli.....	June —

ONE AND TWO REEL SUBJECT RELEASE SCHEDULES

Educational—One Reel

Four Wheel Brakes—Mandy-Cameo.....	Apr. 7
Delicious and Refreshing—Dore-Cameo.....	Apr. 21
Kitty, Kitty—Dale-Cameo.....	May 5
Her Gift Night—Dale-Cameo.....	May 19
The Passing Show of Perak—World Today.....	May 19
On a Runaway Train (SD)—Howe.....	May 26
Household Blues—Collins-Dent-Cameo.....	June 2
Moving Movie Show (SD)—Howe's Hod. Pod.....	June 9
What a Pill—Dale-Cameo.....	June 16
Rubbing It In—Alt-Cameo.....	June 30
Lucky Breaks—Alt-Cameo.....	July 14
Contented Wives—Alt-Cameo.....	July 28

Educational—Two Reels

(They have been synchronized on the film and will eventually be transferred to the disc.)

The Bees Buzz—Mack Sennett.....(T).....	Apr. 7
The Right Bed—Coronet (T).....	Apr. 14
Howling Hollywood—Davis-Dent-Mermaid.....	Apr. 21
Good Night, Nurse—L. Lane.....	Apr. 28
His Big Minute (T)—L. Hamilton.....	May 5
Those Two Boys—Collins-Dent-Mermaid.....	May 5
Joy Tonic—Big Boy-Juvenile.....	May 5
The Big Palooka (AT)—Mack-Sennett (re.).....	May 12
Cold Shivers (T)—Jack White.....	May 19
Only Her Husband—Drew-Ideal.....	May 19
Hot Times—Al St. John-Mermaid.....	May 26
Battling Sisters—Lupino Lane.....	June 2
The Crazy Nut (AT)—Mermaid (re.).....	June 2
Mack Sennett Talking Comedy.....	June 9
What a Day—Collins-Mermaid.....	June 16
Helter Skelter—Big Boy-Juvenile.....	June 16
Trusting Wives (T)—Coronet.....	June 23
Studio Pests—Drew-Ideal.....	June 30
Don't Be Nervous (AT)—Hamilton.....	July 7
Top Speed—Alt-Mermaid.....	July 7
Lupino Lane Talking Comedy.....	July 14
Joy Land—Lupino Lane.....	July 21
Mack Sennett Talking Comedy.....	July 21
Honeymooniacs—Collins-Mermaid.....	July 28

Fox—One Reel

Squadrons in the Sky.....	Apr. 13
Vest Pocket Republics.....	Apr. 28
Magic Sands.....	May 12
The Azure Coast.....	May 26
Changing Seasons.....	June 9
A Cup of Coffee.....	June 23
Call of the Deep.....	July 7
Bypaths in the Balkans.....	July 21
Airways of the Arctic.....	Aug. 4

Metro-Goldwyn-Mayer—One Reel

A Persian Wedding—Oddity.....	Apr. 13
The Leader—Oddity.....	Apr. 27
Foundations of Gold—Oddity.....	May 11
Lacquer and Pearls—Oddity.....	May 25
Outlandish Manners—Oddity.....	June 8
Tiny Housekeepers—Oddity.....	June 22
Brown Gold—Oddity.....	July 6
Oriental Motoring—Oddity.....	July 20
Dealers in Babies—Oddity.....	Aug. 3

Metro-Goldwyn-Mayer—Two Reels

Wiggle Your Ears (S)—Our Gang.....	Apr. 6
Thin Twins—Chase.....	Apr. 13
Big Business—Laurel-Hardy.....	Apr. 20
The Unkissed Man—All Star.....	Apr. 27
Fast Freight—Our Gang.....	May 4
Unaccustomed As We Are (AT)—Laurel-Hardy.....	May 4
Movie Night—Chase.....	May 11
Hurdy Gurdy (AT)—All Star.....	May 11
Double Whoopee—Laurel-Hardy.....	May 18
Small Talk (AT)—Our Gang.....	May 18
Thundering Toupees—All Star.....	May 25
The Big Squawk (AT)—Chase.....	May 25
Little Mother—Our Gang.....	June 1
Berth Marks (AT)—Laurel-Hardy.....	June 1
Madame Q (AT)—All Star.....	June 8
Railroadin' (AT)—Our Gang.....	June 15
Leaping Love (AT)—Chase.....	June 22
Men O'War (AT)—Laurel-Hardy.....	June 29
Frontier Romance—Events.....	July 6
Dad's Day (AT)—All Star.....	July 6
Boxing Gloves (AT)—Our Gang.....	July 13
Snappy Snezzler (AT)—Chase.....	July 20

Paramount—One Reel

Golf Socks—Krazy Kat	May 11
Koko's Focus—Inkwell Imps	May 18
Petting Larceny—Krazy Kat	May 25
Koko's Conquest—Inkwell Imps	June 1
Hat Aches—Krazy Kat	June 8
Koko's Harem Skarem—Inkwell Imps	June 15
Fur Peace—Krazy Kat	June 22
Koko's Big Sale—Inkwell Imps	June 29
Auto Suggestion—Krazy Kat	July 6
Koko's Hypnotism—Inkwell Imps	July 13
Sleepy Holler—Krazy Kat	July 20
Chemical Koko—Inkwell Imps	July 27

Paramount—Two Reels

Stage Struck Susie—Chorus Girl	May 4
Dear Teacher (TF)—Act.	May 4
When Caesar Ran a Newspaper (TF)—Christie ..	May 11
After Seben (TF)—Barton (Col.)	May 18
Hot Lemonade (TF)—Christie	May 25
Makers of Melody (TD)—Rodgers & Hart (re.) ..	June 1
Oft in the Silly Night (TD)—Christie (re.) ..	June 8
Dear Vivian (TD)—Christie (re.)	June 15
Two Americans (TD)—Huston (rc.)	June 22
Her Husband's Women (TD)—Christie (re.) ..	June 29
Hold Up (Gar. of Kam) (TD)—How. Act (rc.) ..	July 6
A Hint to Brides (Faro Nell) (TD)—Ch. (re.) ..	July 13
Melting Pot (TD)—Act (re.)	July 20

Pathe—Two Reels

Tomato Omelette—Smitty (reset)	May 5
The New Aunt—Sennett-Deluxe	May 12
Don't Get Jealous—Sennett	May 19
Her New Chauffeur (ATDF)—LeMaire	May 19
Puckered Success—Smitty	June 2
Caught in a Taxi—Sennett-J. Cooper	June 9
Motoring Mamas—Sennett-B. Bevan	June 16
What a Day (ATDF)—LeMaire	June 16
A Close Shave—Sennett-J. Burke	June 23
Uncle's Visit—Smitty	June 30

RKO—One Reel

91617 Here and There	May 8
91618 Follies of Fashion	May 22
91619 Odds and Ends	June 4

RKO—Two Reels

Mickey's Brown Derby—McGuire	May 12
Just a Stall—Barney Google	May 19
His Wife's Secret—Toots and Casper	May 26
Mickey's Northwest Mounted—Mickey McGuire ..	June 9
The Pace That Thrills—Barney Google	June 16
Who's the Boss?—Toots and Casper	June 23
Mickey's Initiation—Mickey McGuire	July 7
Slide, Sparky, Slide—Barney Google	July 14
Don't Say Ain't—Toots and Casper	July 21

Universal—One Reel

Cleaning Up—Arthur Lake	May 20
Stripes and Stars—Oswald	May 27
A Half Holiday—Laemmle Novelty	June 3
The Wicked West (S)—Oswald	June 10
Society Circus—Arthur Lake	June 17
Nuts and Bolts (SFD)—Oswald	June 24
Bottles—Novelty	July 8
Ice Man's Luck (SFD)—Oswald	July 8
Double Trouble—A. Lake	July 15
Jungle Jingles (SFD)—Oswald	July 22
Faces—Novelty	July 29
Wearie Willies (SFD)—Oswald	Aug. 5

Universal—Two Reels

Finishing School—Mike and Ike	May 8
Newlywed's Excuse—Newlywed	May 15
Close Shaves—Let Geo. Do It	May 22
Delivering the Goods—Buster Brown	May 29
Chaperons—Mike and Ike	June 5
Newlyweds Camp Out—Newlywed	June 12
Hot Puppies—Sid Saylor	June 19
Buster's Spooks—Buster Brown	June 26
Early to Wed—Mike and Ike	July 3
Newlywed's Angel Child—Newlywed	July 10
Fly Cops—George	July 17
Getting Buster's Goat—Buster Brown	July 24
Just the Type—Mike and Ike	July 31
Newlywed's Pest—Newlywed	Aug. 7
The Cut-Ups—George	Aug. 14
Stop Barking—Buster Brown	Aug. 21
Good Skates—Mike and Ike	Aug. 28

Pathe Sound News

1 Sunday	Nov. 11
3 Saturday	Dec. 8
16 Saturday	Apr. 6
17 Not used	
18 Wednesday	Apr. 10
35 Saturday	June 8
36 Wednesday	June 12
37 Saturday	June 15
38 Wednesday	June 19
39 Saturday	June 22
40 Wednesday	June 26
41 Saturday	June 29
42 Wednesday	July 3
43 Saturday	July 6
44 Wednesday	July 10
45 Saturday	July 13
46 Wednesday	July 17
47 Saturday	July 20
48 Wednesday	July 24
49 Saturday	July 27
50 Wednesday	July 31

NEW YORK NEWSWEEKLY RELEASE DATES**Fox**

79 Odd Number....Wed., June 26
80 Even Number....Sat., June 29
81 Odd Number....Wed., July 3
82 Even Number....Sat., July 6
83 Odd Number....Wed., July 10
84 Even Number....Sat., July 13
85 Odd Number....Wed., July 17
86 Even Number....Sat., July 20
87 Odd Number....Wed., July 24
88 Even Number....Sat., July 27
89 Odd Number....Wed., July 31
90 Even Number....Sat., Aug. 3
91 Odd Number....Wed., Aug. 7
92 Even Number....Sat., Aug. 10

International

51 Odd Number....Wed., June 26
52 Even Number....Sat., June 29
53 Odd Number....Wed., July 3
54 Even Number....Sat., July 6
55 Odd Number....Wed., July 10
56 Even Number....Sat., July 13
57 Odd Number....Wed., July 17
58 Even Number....Sat., July 20
59 Odd Number....Wed., July 24
60 Even Number....Sat., July 27
61 Odd Number....Wed., July 31
62 Even Number....Sat., Aug. 3
63 Odd Number....Wed., Aug. 7
64 Even Number....Sat., Aug. 10

Metro-Goldwyn-Mayer

91 Odd Number....Wed., June 26
92 Even Number....Sat., June 29
93 Odd Number....Wed., July 3
94 Even Number....Sat., July 6
95 Odd Number....Wed., July 10
96 Even Number....Sat., July 13
97 Odd Number....Wed., July 17
98 Even Number....Sat., July 20
99 Odd Number....Wed., July 24
100 Even Number....Sat., July 27
101 Odd Number....Wed., July 31
102 Even Number....Sat., Aug. 3
103 Odd Number....Wed., Aug. 7
104 Even Number....Sat., Aug. 10

Paramount

96 Even Number....Wed., June 26
97 Odd Number....Sat., June 29
98 Even Number....Wed., July 3
99 Odd Number....Sat., July 6
100 Even Number....Wed., July 10
101 Odd Number....Sat., July 13
102 Even Number....Wed., July 17
103 Odd Number....Sat., July 20
104 Even Number....Wed., July 24
1 Odd Number....Sat., July 27
2 Even Number....Wed., July 31
3 Odd Number....Sat., Aug. 3
4 Even Number....Wed., Aug. 7
5 Odd Number....Sat., Aug. 10

Kinograms

5512 Even Number....Wed., June 26
5513 Odd Number....Sat., June 29
5514 Even Number....Wed., July 3
5515 Odd Number....Sat., July 6
5516 Even Number....Wed., July 10
5517 Odd Number....Sat., July 13
5518 Even Number....Wed., July 17
5519 Odd Number....Sat., July 20
5520 Even Number....Wed., July 24
5521 Odd Number....Sat., July 27
5522 Even Number....Wed., July 31
5523 Odd Number....Sat., Aug. 3
5524 Even Number....Wed., Aug. 7
5525 Odd Number....Sat., Aug. 10

Pathe

54 Even Number....Wed., June 26
55 Odd Number....Sat., June 29
56 Even Number....Wed., July 3
57 Odd Number....Sat., July 6
58 Even Number....Wed., July 10
59 Odd Number....Sat., July 13
60 Even Number....Wed., July 17
61 Odd Number....Sat., July 20
63 Odd Number....Sat., July 27
62 Even Number....Wed., July 24
64 Even Number....Wed., July 31
65 Odd Number....Sat., Aug. 3
66 Even Number....Wed., Aug. 7
67 Odd Number....Sat., Aug. 10

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Vol. XI

SATURDAY, JULY 13, 1929

No. 28

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A Most Contemptible Political Trick

On June 17 the board of directors of Allied States Association of Motion Picture Exhibitors, of which organization Mr. Abram F. Myers, former member of the Federal Trade Commission, is president and general counsel, met at the Blackstone Hotel, in Chicago, for the purpose of discussing what measures should be taken to bring relief to the independent exhibitors.

One of the decisions they took was to call a conference in Washington on July 2, and to invite every exhibitor, executive or plain member, no matter whether he was or was not affiliated with Allied States Association.

A few of the executives of exhibitor organizations that are not affiliated with Allied States went to Washington, and registered in the Mayflower Hotel, where the meeting was to be held; but instead of taking part in the meeting with the Allied leaders they met in a separate hall, in the same hotel, on the same day, and almost at the same hour.

After their meeting was over, they issued a statement to the newspapers attacking Commissioner Myers and the Brookhart bill, and declaring that they are opposed to government regulation.

"Denouncing the idea of government regulation of the motion picture industry and the Brookhart bill," part of the news item read, "a large majority of the theatre owners and motion picture exhibitors who met today refused to join a meeting of protest called by Abram F. Myers to consider unsatisfactory conditions in the industry and held instead a meeting of their own under the chairmanship of R. F. Woodhull, of Dover, N. J., president of the Motion Picture Theatre Owners of America . . ."

These exhibitors returned to New York last week and gloated over the fact that they "put one over" on Mr. Myers and the other Allied leaders.

I have heard of cheap political tricks pulled before, but never one as cheap as this. I could not believe that Will H. Hays, a man of high church affiliations, and former Postmaster-General, a man that several years ago was chairman of the national committee of the Republican party, would have permitted his lieutenants to descend so low or to countenance such an unethical act. Only in the black wards of Indianapolis, where one of his lieutenants (C. C. Pettijohn) has had the greatest part of his political schooling, could such a contemptible political trick be pulled. And yet he not only permitted it but is profiting by it, for according to trade papers he has arranged for a meeting between those that attended the counterfeit conference and members of his organization for the ostensible purpose of negotiating a percentage arrangement for handling pictures for the coming season, but really to "legalize" percentage with a minimum guarantee, such "minimum" to be, no doubt, greater than the most optimistic of the producers could hope to receive out of flat rentals. The independent exhibitor may expect no good from this conference, because the persons that are supposed to represent the exhibitors in it are the same as those that fastened the present contract on your backs.

Have they pulled "a fast one" on Commissioner Myers, as they assert they have?

Not only is the trick they pulled not a "fast" one; it is plainly stupid, conceived by persons who do not seem to possess the intelligence of five year old children. Only such persons could have ever thought that we would not see through the scheme and that we would not be able to guess who was back of it. The outcome of this all will be a stronger Myers and a more

widely prevalent Allied cause, for decent people resent such tactics and usually give their sympathy to him who was taken unfair advantage of.

That the plot to wreck the Allied conference and to discredit Commissioner Myers was conceived and executed in accordance with a prearranged plan may be evidenced by the fact that, although Mr. Myers and the other Allied leaders were in the same hotel, the conspirators neither called on them nor inquired about them or about the program of the conference. And such a plan could not have been concocted anywhere else than in the offices of Will H. Hays.

Personally I believe that some of those that attended the counterfeit conference did not know the exact situation, for I happen to be acquainted with some of them and know that they are too much of gentlemen to stoop to such a thing. So they owe to themselves to clear their name from such a stigma by denouncing this conference. The columns of HARRISON'S REPORTS are placed at their disposal for the purpose.

New York, N. Y.
June 8, 1929.

Hon. Smith W. Brookhart,
U. S. Senate,
Washington, D. C.
My dear Senator Brookhart:

Because of the great interest you have taken in the independent exhibitor, who is threatened with extinction by the insatiable greed of the producers and distributors of motion pictures, who demand of him film rentals that are crushing him, I feel it my duty to lay before you certain facts so that you might be able to judge the calibre of the persons who, posing as independent exhibitors and as representing independent exhibitor sentiment, met at the Mayflower Hotel, in Washington, on July 2, in opposition to the meeting of the regular independent exhibitors, called by Mr. Abram F. Myers, and denounced your bill.

JOE WALSH, of Connecticut: When Walsh took part in the Washington counterfeit conference, he was not an exhibitor, because as I understand he had sold his theatres one week previously to Mike Comerford, of Pennsylvania. I asked Mr. Ed Levy, Secretary of M.P.T.O. of Connecticut, over the long distance telephone if he was authorized to represent his organization in that conference but was told by him that he was positively not authorized to do so. Mr. Levy requested me to inform you that although his organization has not joined the Allied States, a poll of the members taken recently indicated that they are decidedly opposed to the M.P.T.O.A. set up and that they are greatly in favor of Allied States Association and Mr. Myers.

HENRY NEEDLES, Connecticut: Henry Needles is not a theatre owner; he was merely managing the Regal, at Hartford. As I understand he is not employed now. I asked Mr. Levy the same question about him as I did about Joe Walsh and the answer was the same—Connecticut did not authorize him to represent it at Washington.

MRS. ANNA AIKEN PATTERSON, Georgia: Mrs. Patterson is the editor of "Film Review," a trade paper she publishes in Atlanta. I wired to Mr. Love B. Harrell, Secretary of the recently formed M.P.T.O. & M. of Georgia, as follows: "Was Mrs. Anna Aiken Patterson authorized to represent your organization at the Woodhull conference in Washington?" and received the following reply: "Anna Aiken Patterson did not
(Continued on last page.)"

"Protection"—with Robert Elliott, Paul Page and Dorothy Burgess

(Fox; May 5; syn. 5,536 ft.; sil. 5,511 ft.)

Just another newspaper-racketeer story, with the usual star reporter getting the big story at the risk of his life in attempting to expose the town's leading citizens as racketeers and rum runners. It has action, a rather weak love story and two or three suspenseful situations. Robert Elliott is fair enough as the managing editor and Paul Page is a pleasing star reporter (hero). Dorothy Burgess is charming as the discarded mistress who squealed and lost her life. Dorothy Ward is a rather annoying heroine who finally won the hero's love. Ben Hewlett is a sinister racketeer. Others are Joe Brown, Roy Stewart, William H. Tooker, as the man higher-up and Arthur Hoyt as the sissy society reporter.

The story revolves around the efforts of a managing editor, fired by the owner of one newspaper, who was part of the rum ring, to continue his fight to expose the racketeers by taking a job on the rival newspaper. With the aid of his star reporter, he makes the villain squeal and succeeds in breaking up the ring.

The scenes of the reporter getting his story and being chased by the gunmen are rather suspenseful as is the scene in the restaurant where the hero and heroine are shown eating when he spies the gunmen and pretends to be drunk, breaking up all the china and making the proprietor call the police. And to make him call the police was what he was trying to do so that they could make their escape. Again, in the newspaper office, the villain, who had called to kill the managing editor suddenly afraid squeals. Later he is killed by his own gunmen after they had failed to blow up the presses so that the story would not be printed.

Frederick Hazlitt Brennan wrote the scenario. Benjamin Stoloff directed it intelligently.

There are sound effects, such as typewriters banging away in the office, telephone bells ringing, laughter and the musical score, but they neither help nor harm the picture.

Note: This is a story and star substitution and you are not obligated to accept it. See full details in the issue of May 4, an page 72.

"Thunder" (SD)—Lon Chaney

(M-G-M, July 20; footage not yet determined)

There are many good incidents in "Thunder," the story of which is entirely different from any story that has so far been given to Mr. Chaney—he is a railroad engineer this time—but the picture is so long that one becomes tired long before it is over. A careful pruning will, no doubt, speed it up considerably and make it hold the interest more tight. The scenes at home where the father (hero) returns after his run is completed offer considerable opportunities for comedy; and the director took advantage of them. There are some thrills here and there, usual to portraying a railroad drama. But the death of the son with the consequent details is not giving any pleasure to the spectator. The cold feeling that develops between the surviving son and the father is not pleasurable either. The closing scenes, however, where the father and the son are on the old engine again speeding towards the flood area carrying food and medical supplies for those marooned, and plowing through water, the rails having been submerged by the flood, are thrilling. The scene of the reunion between the young hero and his chorus girl sweetheart, and also with the widow of the dead boy, are touching.

Byron Morgan wrote the story, William Nigh directed it. In the supporting cast are Phyllis Haver, James Murray, George Duryea Francis Morris and Wally Albright Jr. The picture has been fitted with sound effects but the puffing of the engine at times starts before the engine had started and stops before the engine had stopped. It also gives a peculiar feeling to the spectator when he hears the engine puffing but not the bell ringing although he sees it swinging.

It should give fairly good satisfaction everywhere.

"The Time, the Place, and the Girl" (ATD)

(Warner Bros., rel. date not yet set; syn. 6,339 ft.; sil. not fixed)

Boredome! It is hard to interest one in the doings of a braggart. All the way through the film, the hero, impersonated by Mr. Grant Withers, does nothing but brag about himself, first, in a college as a football star, and afterwards as a salesman of bonds for a crooked employer. There isn't a single situation where he is a regular human being. In the closing scenes, he realizes that he loves the heroine, secretary to his employer, and, having been informed by her that he was playing a crooked game without knowing it, manages to put one over on his employer and to prevent criminal prosecution against himself for selling worthless stock. But one does not expect a hero in a drama to resort to such tactics, even though he was justified in resorting to them; he cannot win sympathy. The theme in itself is boring, even if the fact that the hero is a braggart were to be overlooked; it deals with selling of bonds.

The plot, which was founded on the musical comedy of the same name, deals with a football star in college who meets a New York stock broker at a party. The broker, who was intoxicated and offered a job to anyone that he met, offers a job also to the hero. After his graduation the hero goes to New York and calls on the broker. The broker engages him to sell "phony" stock, the hero believing it is first class stock. The heroine, employed by the broker as secretary, becomes acquainted with the hero; she tells him that she, too, was in college and saw him several times play football. The hero is slow at selling any of the bonds, but just as he was about to be discharged he makes a big sale. The broker establishes him in a business of his own to sell worthless stock. The heroine learns about the worthlessness of the stock and informs the hero. The hero puts one over on his employer by inducing his wife, who had been infatuated with him (the hero) to lend him \$20,000. The wife takes it from her husband. With this money the hero is able to buy back the worthless stock he had sold, thus escaping criminal prosecution.

Gertrude Olmstead is charming as the heroine, but Grant Withers impersonates an unpleasant part, and therefore does not win much sympathy. Betty Compson is good in her unpleasant part. James Kirkwood appears in a few scenes as a college professor.

"Blue Skies" (SF)—Helen Twelvetrees

(Fox, March 17; syn. 5,408 ft.; sil. 5,357 ft.)

A mediocre program picture. It is only in the last reel that some human interest is awakened. The other film is slow and uninteresting.

The story deals with two orphans, a boy and a girl (hero and heroine), who grow up in an orphan asylum. The hero's father learns that his wife, who had abandoned him, had given birth to a child before her death and that the child had been put in an orphan asylum in that city, but did not know whether it was a boy or a girl, or under what name the wife was going prior to her death. By aid of a monogram, the father is able to trace his child. The hero is the child, but because he loves the heroine, who had grown up with him in the asylum, in an effort to help her, he switches the evidence so that the heroine is made to appear as if she were the missing child. The heroine is taken to her new home and reared in luxury. But she is not happy because she always thinks of the hero. Toward the end, however, the father learns that the hero was his real child. The hero is brought to his father, but he begs him not to tell the heroine the facts. The father is happy to have them both.

Though the story has all the elements of human appeal, the scenario has been constructed so badly that in the beginning the spectator becomes weary watching the development of uninteresting incidents. There is no interest in the sight of orphan asylum incidents, wherein severity, and even cruelty, against the orphans is the main feature.

The story has been written by Frederick Brennan. It was directed by Alfred Werker. Frank Albertson, William Orlamond, Claude King, Ethel Wales, Helen Jerome Eddy and others are in the cast.

Note: "Nobody's Children" is the original title. It is a star substitution, in that Nancy Drexel, Barry Norton and Margaret Mann were promised as the stars. It is also a director substitution in that Lew Seiler was to direct it. You don't have to accept it.

"Charming Sinners" (ATF)*(Param., Aug. 17; syn. 6,164 ft.; sil. not yet fixed)*

The plot of "Charming Sinners" has been founded on W. Somerset Maugham's stage play "The Constant Wife," which Mr. Hays had banned from the screen. But it has been so pruned in the construction of the scenario that very few people should object to the filming of it. The doctor's wife, for example, who, in the play runs away to Italy with another man just because she had discovered that her husband had an affair with a light-headed young blonde, is made moral in the film; when the former sweetheart boards her train, she lectures him about morals, so convincingly that he departs, leaving the heroine to keep on making her husband believe that she had run away with him. There have been other changes, but the main doings—that of the London doctor who had an affair with a young blonde,—have not been suppressed; only that they have been handled delicately. The direction by Robert Milton is masterly, and the acting artistic, and the settings lavish. Ruth Chatterton again distinguishes herself as the heroine who taught her husband a lesson. Clive Brook is good as the doctor. Mary Nolan is very good as the fluffy blonde. Others in the cast are William Powell, Laura Hope Crews, Florence Eldridge, Montague Love, Juliette Crosby and Claude Allister.

The action unfolds in London. The style is high comedy. The voices are not clear because of poor recording.

ARBITRATION DEAD IN ALLIED STATES

Arbitration has been thrown out of the window in states where the exhibitors are organized under the Allied States Association banner. They simply dropped it. They gave no advance notice to the Film Boards of Trade, or to the Hays organization.

Col. H. A. Cole, of Texas, told me personally that although they were getting pretty good results in Texas, they dropped it because they did not have the heart to render decisions against exhibitors that were hooked with sound contracts and scores at a time when talking pictures were at their highest. Some of the exhibitors cannot take in even the money they agreed to pay for the score let alone for the film. And they could not bear to become the collectors for the producers and the undertakers for the exhibitors.

Before dropping arbitration, the Allied leaders had the advice, no doubt, of Mr. Myers; and since he advised them to drop it the movement is not a mere gesture, for if there is anyone connected with the motion picture industry that knows the rights of the exhibitors under the enforced arbitration that exists in this industry, that person is Hon. Abram F. Myers. And he knows where to go when the Federal laws are violated.

KNOCKING AT THE WRONG DOOR*(Continued from other side)*

a recent editorial, "The Churchman," the mouthpiece of the Protestant Episcopal Church in America, and one of the oldest religious journals in the English speaking world, attacked him bitterly and denounced him. The editorial was based upon an attack made upon him during the recent meeting of the Editorial Council of the Religious Press in Washington, when the discussion turned to the subject, "What Should Be the Attitude of the Religious Press Towards the Movies." During the discussion Mr. Hays was called "a good window dresser," and "the office boy of the movies." The significance of this attack may better be realized when you know that "The Churchman" is not opposed to motion pictures and does not favor censorship in principle. (Nevertheless it warns the industry that censorship may be forced upon it unless it stops ham-stringing the public.)

"It [the motion picture industry] conceived the bright idea a few years ago," part of the article reads, "that simple-minded and possibly sensitive church folk could be lured into supporting the movies and keeping their mouths shut about censorship if the industry could be dressed up with a Presbyterian elder. And it has worked pretty well, with a good deal of letter writing, a fairly sizeable item for luncheon expendi-

tures and no little flattery on the part of Mr. Hays and some of his skillful assistants.

"But it isn't going to work much longer . . ."

Mr. Hays was brought into this industry as a contact man between the motion picture industry and the churches. But he has lost his influence among the church people because he has been ham-stringing them the same way as he has been ham-stringing you.

Will H. Hays is not the person to appeal to for relief from the oppressive film rentals; he will do nothing for you. He has had an opportunity in the past to show that he would help you in less important matters but he did not show it. The contract, for instance, is one of such matters; it is such that in Texas it was declared illegal, and in Pittsburgh a judge called it too one-sided to be taken into consideration by a court.

The men he has called into conference and who are to discuss lower film rentals with the members of his organization are the same men that helped him fasten the one-sided contract on your backs. One of them is Dick Biechele, of Kansas. Biechele spent his week end last week in the home of C. C. Pettijohn, at Rye Beach.

Yes, Commissioner Myers is right! An investigation of the industry by Congress is needed, to expose the dirty work that some of the Hays lieutenants have been doing.

SUBSTITUTIONS

FOX: A complete analysis of the Fox substitutions was given in the issues of March 30 and May 4. There remain two pictures to be analyzed, "Black Magic," and "Chasing Through Europe." No author was given with "Chasing Through Europe," therefore you have to accept it if it should be delivered with Nick Stuart, the star promised. I don't know the contract title of "Black Magic," so I cannot say whether it is or it is not a substitution. "The One Woman Idea," too, is a star substitution. See the review printed on page 95.

The substitutions of all the other producer-distributors were published in the issue of April 13.

Additional First National substitutions were published in the issue of June 1, page 88.

Warner Bros. substitutions were published in the issues of June 15, page 96, and July 6, page 108.

Additional Pathe substitutions are:

HIGH VOLTAGE: The Pathe Work Sheet described this picture as follows: "Thrilling story of the telephone linemen who, through sleet and snow and fire, keep clear the avenue of transcontinental communication—from the story 'The Trouble Shooter,' by Tay Garnett. The finished product has nothing to do with telephone linesmen; it deals with persons marooned in a shack in the woods by snow, the hero and the heroine being crooks. The story is by Elliott Clawson. It is a story substitution and you are not obligated to accept it. An additional reason why you should not accept this picture if you have contracted it as a silent, is the fact that, as it was made as a talker, the silent version is poor, because everything was "keyed up" to make a talker. An exhibitor that played it as a silent informed this office that his patrons walked away.

THE FLYING FOOL: The Work Sheet describes this picture as follows: "An adventurous and thrilling story of an aerial transoceanic flight. Combines aviation life, South Sea stuff and the 'eternal triangle.' Lina Basquette in cast. Author, Ernest Pascal. Director, Edward Griffith." The finished product has nothing to do with transoceanic flight or with the South Seas; it is about two brothers, one of them the hero, both aviators, who fall in love with the same girl. The hero wants the heroine not to throw his brother overboard, but she tells him that he is only a boy and that she loved him, the hero. Marie Prevost takes the place of Lina Basquette, and the story was written by Elliott Clawson. It is a story, star and author substitution and you are not obligated to accept it.

Write to Mr. Abram F. Myers, President and General Counsel of Allied States Association of Motion Picture Exhibitors, in care of Union Trust Building, Washington, D. C., and encourage him to carry on the fight of the independent exhibitors stronger than ever.

represent our organization so far as I know." If she attended the conference as a journalist, a right she had, let it be said that she did not extend the same courtesy to the Allied meeting.

D. A. HARRIS, Pittsburgh: Mr. Harris was not authorized by the M.P.T.O. of Western Pennsylvania and West Virginia to represent it, because Mr. Anthony P. Jim, the president of the organization, attended the Allied meeting and assured Mr. Myers that they are back of him to a man. At the Trade Practice Conference, which was called by the Federal Trade Commission in October, 1927, Mr. Harris stated that he did not know how to classify himself, because he was both an independent and an affiliated exhibitor. As a compromise, he requested Mr. Myers, who represented the Government, to classify him as an orphan. But he should have stayed an orphan to the end, and not try to make it appear as if he represented any independent exhibitor. (In reply to my telegram, Mr. Fred Herrington, Secretary of M.P.T.O. of Pa., said: "Denny Harris is not a member of our organization and does not represent us.")

CHAS. WILLIAMS, Nebraska: Mr. Williams is both an exhibitor and distributor. Though he is the president of M.P.T.O. of Nebraska, his sentiments have always been with the Hays organization. At the Brookhart bill hearing before the Senate Committee on Interstate Commerce, he lined up himself definitely with the Hays faction. Several days before the conference, Mr. W. A. Steffes, President of M.P.T.O. of the Northwest and one of the charter members of Allied States, called him up on the long distance telephone and requested him to attend the Allied conference. He expressed a desire to attend but regretted that he could not attend it for the reason, as he said, that the treasury of the organization did not have any money and he himself could not spare it. And yet he went to Washington. I am sure you are interested to know if the Hays organization paid his expenses.

DICK BIECHELE, Kansas: Biechele has definitely lined himself up with the Hays crowd. I am sure you remember his memorable telegram to Mr. Hays, "I am willing to ride along with you, Mr. Hays!" As a member of the contract committee he did not raise his voice even for once when the interests of the exhibitors were disregarded. According to the resolution passed at the Trade Practice Conference, when there was any disagreement between exhibitors and producer-distributors over any clause the exhibitor members had the right to demand a seventh arbitrator to be appointed by the Supreme Court of the United States to cast the deciding vote. Biechele did not avail himself of this prerogative for the exhibitors. Hence the one-sided contract. He spent his week end last week as a guest of the lieutenant of Mr. Hays, C. C. Pettijohn, at Rye Beach, N. Y.

JACK MILLER, Illinois: Miller is allied with affiliated exhibitor interests in Chicago.

MIKE O'TOOLE, Pennsylvania: O'Toole is not an exhibitor; he is merely the publicity man for Mike Comerford, of Scranton, Pennsylvania.

PETE WOODHULL, president of the so-called Motion Picture Theatre Owners of America: Mr. Woodhull is not a theatre owner now. In fact he has never been one in the true sense of the word. At Dover, he was a manager, with an interest in the business. About two years ago the theatre was sold to the Stanley interests. Immediately afterwards he was elected president of M.P.T.O.A. To still people who questioned his right to be the president of an exhibitor organization, he acquired in some mysterious way an interest in Joe Walsh's Theatres. When he presided over his counterfeit conference in Washington, he was not an exhibitor even remotely because the theatres in which he was supposed to have an interest had been sold by Walsh.

ARTHUR JAMES, New York: James is not an exhibitor; he is a trade paper editor. He publishes "Motion Picture Today" and "Daily Review." When he first put out "Motion Pictures Today," he attacked the late Marcus Loew, who at that time was ill, and continued attacking him. He stopped the attacks at the same time he received the Metro-Goldwyn-Mayer advertising. At that time he attacked also Adolph Zukor and other prominent members of the picture industry including Will H. Hays. His attacks on Mr. Hays were particularly vicious in that they were personal; he often caricatured Mr. Hays. In those days he was fighting for the independents. But immediately after he received the Metro-Goldwyn-Mayer advertis-

ing he switched. Ever since, he has been attacking the independent exhibitors or those that defend their interests. James has never been friendly to the independent exhibitor interests. The present Mayor of New York City, Hon. James J. Walker, when he, while yet a New York State Senator, was acting as counsel for M.P.T.O.A., which was independent at that time, referred to Arthur James as a "Kept Editor." An investigation of his books would disclose much interesting information.

WILKERSON, of the Hays organization: In the last two years C. C. Pettijohn travelled arm in arm with Pete Woodhull visiting exhibitor conventions and preaching to the independent exhibitors the necessity of joining hands with the producers for the protection of the interests of the industry. Evidently the criticism made against him and against Pete Woodhull for this "marriage" made the Hays organization change its plans of continuing to send Pettijohn to such conventions and appointed David Palfreyman, former Secretary of the Detroit Film Board of Trade, for the task. Palfreyman was with Woodhull at the recent Oklahoma convention, and in other conventions of exhibitors. Perhaps they thought it would be too bold to send Palfreyman along this time, and sent Wilkerson.

Such is the composition of Pettijohn's wrecking crew, and these are their antecedents. I am sure you will realize, then, how little they represent independent exhibitor sentiment. I am sure you realize also how necessary it is for Congress to investigate the motion picture industry with a view to bringing to light the methods the members of the Hays organization are using to gain complete control of the motion picture industry.

This great industry, my dear Senator Brookhart, is now a monopoly, and in the hands of a few persons. Motion Picture Producers and Distributors of America, better known as the Hays organization, of which organization former Postmaster-General Will H. Hays is president, is the means by which they have brought it about. By using whatever political influence he could exert in Washington, and by exercising undue influence upon exhibitors, prominent in independent exhibitor organization affairs, Mr. Hays gained a stranglehold upon the industry, making it impossible for an independent exhibitor to live. To break this monopoly is the wish of every independent theatre owner, and they look to you, my dear Senator Brookhart, to save them. Please do not be discouraged by the machinations of the Hays crowd, who put many obstacles in your way. Go forward, resting assured that the heart of every independent theatre owner is with you.

Very sincerely yours,
P. S. HARRISON,
Editor and Publisher,
HARRISON'S REPORTS.

KNOCKING AT THE WRONG DOOR

Part of the newspaper item that dealt with the Washington counterfeit convention reads as follows:

"It [the Hays faction] called on Will Hays, President of Motion Picture Producers and Distributors of America, to formulate 'a system of film rentals! . . .' In reply Mr. Woodhull received from the Hays offices in New York assurances that a conference would be held immediately to devise a system for mutual profit and risk between exhibitor and producer . . ."

I understand perfectly well why the Hays faction of exhibitor leaders held a conference at Washington in opposition to the conference called by Commissioner Myers, but I cannot understand why they should call on Mr. Hays to help them get lower rentals. Mr. Hays has repeatedly declared that he is powerless to help the exhibitors in matters that concern the business affairs of the members of his organization.

Even if Mr. Hays were willing to help you get your film at a lower price, he cannot do anything for you, for he has no power; the members of his organization will not listen to his suggestions, as it has been evidenced in numerous occasions, particularly in matters that concern the production of pictures based on books that had been banned by him. They simply go ahead and put them into pictures, regardless of his ban.

That he is powerless to do anything for you has been evidenced also by the fact that the church element, which, when he first entered the motion picture industry, was so friendly to him, because it believed that he could cleanse the screen, has turned against him. In

(Continued on other side.)

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GET YOUR PROMISES IN THE CONTRACT!

The Fox 1929-30 Work Sheet carries the following provision:

"Plan for production as tentatively outlined in this production schedule, is the result of the best effort to date on the part of our Production Organization, we however, desire to continue to develop this general thought so as to make our product as attractive as possible. In the interests of the exhibitor we, therefore, wish to notify you that modification will be necessarily made in this tentative plan on our part in order to give the exhibitor the benefit of developments that will be made by our Production Organization and that this is not to be regarded as final but subject to such changes as in our judgment we deem necessary and proper to arrive at results that will be conducive to beneficial results to the exhibitor."

Paraphrasing this provision, the meaning of it is as follows:

"Last season we sold you certain pictures at higher prices than we ever received from you. As we wanted to make as much money as we could out of you, we dug up every piece of junk from our vaults and, fitting it with sound, we tried to deliver it to you for pictures which we sold you. As these were indefinitely described in the contract, we thought that we could foist them on you. But Harrison's Reports analyzed our pictures and informed you that at least twenty of them were substitutions. The exact number was twenty-nine but it could prove only twenty. As a result, we lost hundreds of thousands of dollars on account of the fact that most arbitration boards sustained the contention of the exhibitors that what we offered them were substitutions. To make a recurrence of such losses impossible, we are now inserting this provision in the Work Sheet so that we might claim before the arbitration boards that we are entitled to deliver whatever pictures we see fit. The fact that this provision is contrary to the Standard Contract, copy of which has been filed with the Federal Trade Commission, is immaterial; our object is to avoid losses and that is all we are interested in."

The business crime Fox committed in the 1928-29 season has not been committed by all the other producer-distributors put together since the industry was founded. Finding the exhibitors dazed as a result of the sudden swooping of the talking pictures down upon them, he made them sign any old contract, making them agree to pay any old prices; they were made to believe that Fox was going to set the world afire with his talking pictures. Instead, he dug out of his vaults, as said, all his old junk and delivered it with sound. Out of each ten pictures, eight were either crook plays or otherwise immoral pictures, unfit to be shown to decent people. That is what Fox delivered in the 1928-29 season; and that is what he may deliver during the 1929-30 season.

But you have to give credit to Fox for one thing—he is the best showman in the business. He has a show window in New York City, the Roxy. During the beginning of every season, he crowds in it every big picture, advertises them as he had not advertised before, and "picks them in" to overflowing capacities. He then sends out his selling hounds and take you "high." He did this last year (1928-29 season) with "Street Angel" and "Four Sons"; the year before (1927-28 season) with "What Price Glory" and "Seventh Heaven"; during the 1926-27 season with "What Price Glory" and "Seventh Heaven" (which Fox did not release till one year later). During that (the 1926-27) season, he made a formidable announcement with "Is Zat So?" "The Music Master," "The Pelican," "Fig Leaves," "Money Talks," "The Return of Peter Grimm,"

"The Auctioneer," and others, taking out of you money out of proportion to the quality of pictures delivered. During the 1925-26 season, he used as a bellwether "The Iron Horse," "Siberia," and "The Johnstown Flood." It was the year that Jimmy Grainger arranged his first program, having joined the Fox forces the year before. Who could have fooled the exhibitors through these years any better?

This year Fox has not yet had a bellwether. But he is going to have one in some way; you can not "down" Fox; he will find a way to take you high again this season.

Even if he cannot find a bellwether, he will take you high anyway, for his sales department is headed by the best salesman the industry has ever known—Jimmy Grainger. Jimmy is a real showman; he has received his training in the circus. And this is not said in disparagement; I recognize his great sales ability, and hope that every exhibitor will recognize it, too. Jimmy can sell you anything for a picture, even a reel of tickets. He is a good fellow. He has an ingratiating personality. And this disarms the person he is doing business with. But what a hard man in business! Once he gets your signature you will have to pay. In my experience as a publisher of HARRISON'S REPORTS I have known very few who were able to get an adjustment out of him. In fact, I do not hesitate to say that, if Fox had a production head to deliver the goods as Jimmy is delivering them in the sales department, Fox would have had the moving picture world by the neck. But the production department delivered him eight crook plays out of every ten pictures. Yet Jimmy was able to get even your trousers. And he will get them again, I am pretty sure, for he is the best salesman in the business.

You might note that among the 1929-30 pictures there are some that I have reviewed. These are the following: "The River," reviewed in the issue of January 5, this year, on page 2. It is a poor picture; too sexy for the family circle. "Four Devils," reviewed in the issue of October 13, 1928, on page 162; it is not a very big picture from the entertainment point of view, although it is big from the production point of view. Read additional remarks about it in the issue of July 6, on page 106. "Christina," reviewed in the issue of April 13, on page 59; this one, too, is a poor picture—nothing to it. All these pictures were given a forced engagement on Broadway, this city. "The River" and "Christina" are silent; "Four Devils," after being made silent, was refitted with talk in the last reel. But there isn't sufficient talk to entitle it to be classed as a talker.

By inserting in the 1929-30 Work Sheet the provision just mentioned, Fox is asking you to sign a "blank" contract and to give him unrestricted right to deliver to you whatever he sees fit. If you have faith in him, go ahead and sign it. But don't cry afterwards. You had better however, heed the advice of Mr. Harrell, secretary of M.P.T.O. of Georgia, who, under the heading "MORTGAGE LIFTERS OR MORTGAGE MAKERS?" writes as follows: "DON'T BUY FOX on the basis of the announcement in this week's trade papers, for with all promises Fox promises you nothing. Note in his announcement Fox reserves the right to change without notice cast or director or the title of any of the talking movietones announced. According to this announcement, if he should promise Janet Gaynor in 'Sweet Side Love' and should deliver Rex Bell in 'A Piece of Cheese' you would have no recourse save to serve your patrons with a piece of cheese. Get your promises in the contract!"

Yes, get your promises in the contract!

"Divorce Made Easy" (95% TDF) **Douglas MacLean**

(Param., July 6; syn. 5,386 ft.; sil. 5,270 ft.)

Because of its too slender and very familiar story, which could well be produced in two reels, this makes only fair entertainment. The talk is very well recorded and every word is heard from beginning to end. It is a farce comedy of the bed room type with but a few laugh provoking situations.

The story revolves around the hero's efforts to help his best friend get a temporary divorce from his newlywed bride because his wealthy maiden aunt does not like her.

The usual complications follow such as the hero's fiance catching the hero making love to the bride (heroine), this being part of their plan to get her "compromised"; the bridegroom's natural jealousy and consequent bungling in preventing the plans from being carried out; and the aunt's being fooled many times when she catches the wrong couple. But all ends well when she meets the hero's uncle and decides to marry him; thus she allows the young couple to stay happily married.

Douglas MacLean is the oblonging hero who helps his friends and always gets in trouble; he has a very pleasing voice. Miss Prevost, as the heroine, the young bride, willing to get compromised so that her new husband might not be forced to go to work by losing his aunt's income, has a rather weak though agreeable enough voice. Johnny Arthur is good as the namby-pamby jealous bridegroom. Frances Lee is the hero's fiancee and Dot Farley as the aunt is pretty good. Jack Duffy is the hero's uncle and Hal Wilson is his butler.

Walter Graham directed the talking version and Neal Burns, the silent version.

NOTE: According to press notices two different pictures were made for the sound and silent versions. Therefore if you are not equipped for sound, be sure to get the right version as the sound version is wholly unsuitable as a silent picture for the reason that it depends altogether on the talk.

"The Bachelor Girl" (37% TDF)

(Columbia, May 20; syn. 5,967 ft.; sil. 6,245 ft.)

A good program picture. There is considerable human interest in it, and the spectator's attention is held pretty tight all the way through.

It is about the able girl (heroine), who helps the incompetent young man (hero), whom she loved, and by whom she was loved, to make a success in life. The young man, after climbing the ladder, feels that he had done so by his own ability and not by the help of the heroine. A break naturally occurs when the heroine is unable to tolerate his arrogance. He insists that she had never done anything for him. They part. After a year the heroine's employer, having fallen in love with her, proposes and she accepts. On the day she was buying her trousseau at a fashionable dressmaker's she meets the hero; he had been working in that establishment as a common laborer, endeavoring to make a success again by hard work. The employer, realizing that the heroine still loved the hero, releases her from her promise. Hero and heroine marry.

It is a nice little sentimental play and those that will see it are sure to enjoy it. Jack Townley wrote the story, Richard Thorpe directed it. Jacqueline Logan is a good heroine. William Collier, Jr. is the hero. Edward Hearn is the employer. Thelma Todd also is in the cast.

"Twin Beds" (100% TD) Jack Mulhall and Patsy Ruth Miller

(F. Nat., Sept. 1; syn. 7,266 ft.; sil. not yet fixed)

This picture has been founded on the stage farce of the same name. The stage version was pretty suggestive, but in constructing the scenario for the talking picture, the scenarist purified it, to such an extent that there is hardly a single suggestive situation in it. The only one that might be taken as suggestive is where the hero begs his wife to agree to a double bed instead of twin beds. During the argument, the audience at the Strand roared laughing. They caught the meaning but they were not offended, because the situation has been handled cleverly. There is comedy all the way through, most of it being caused in the situations where the drunken neighbor enters the hero's apartment and occupies the hero's bed, while the

hero is absent. When the heroine awakes in the morning and finds their neighbor in her husband's bed, she orders him out of the house. But he is unable to go, because his clothes had been sent by the maid to the presser. The drunken man's wife, having been informed by gossiping neighbors that her husband was seen to enter the heroine's apartment, goes to the heroine demanding to know where her husband is. The husband hears the conversation and hides under a sofa. From this point on the complications thicken with the entry of the hero into the picture. As is usual in bed room farces, matters are cleared up in the end, and everyone is happy.

Mr. Mulhall does good work, as always. Miss Miller is pretty good. Armand Kalitz, Gertrude Astor, Knute Erickson, Edythe Chapman, Jocelyn Lee, Zasu Pitts, Ben Hendricks, Jr., Eddie Gribbon, Bert Roach and Alice Lake are in the cast. The lines are clear at all times. (Synchronized version release July 14.)

"Dangerous Curves" (100% TDF) **Clara Bow**

(Param., July 3; syn., 7,278 ft.; sil., 6,539 ft.)

There is nothing extraordinary about this story, which untolds mainly under a circus tent. Yet the picture is not bad when viewed with the eyes of a picture-goer of the rank-and-file. There are some emotional situations, which Miss Bow puts over pretty well. She is presented as a circus girl, hopelessly in love with a star tight-rope walker, impersonated by Richard Arlen, who was madly in love with his partner, an unfaithful woman. The situation that shows the young heroine persuading the hero, who had left the circus and taken to drinking, because he had found the woman he loved in the arms of another man, to return to the circus is fairly moving. The scenes where she is shown upbraiding the hero, who, although he was convinced of the unfaithfulness of the woman he loved, went back to her, are pretty dramatic. There are a few other situations with fairly tense dramatic power. Mr. Arlen does not do the best work of his career, by any means. In one of the situations he is shown drinking much and yet he remains pretty sober. A few more drinks and he is stupidly drunk. Shortly afterwards he acts dramatically, but shows no signs of the effect of the liquor.

The plot has been founded on a story by Lester Cohen. It was directed by Lothar Mendes. Anders Randolph, Kay Francis, T. Roy Barnes, Jack Luden and others are in the cast. The lines were not very intelligible, partly because of inferior recording and partly because of the bad acoustics of the Paramount Theatre.

In all probability the dramatic power of the silent version will be about the same as that of the talking version.

"The Triumph of the Scarlet Pimpernel"

(World Wide, June 22; 6,490 ft.; 75 to 82 min.)

Those that do not object to costume plays should receive excellent enjoyment out of "The Triumph of the Scarlet Pimpernel," for it is full of heroic deeds. The hero, an English Lord, is shown operating against Robespierre and finally outwitting him. The danger in which the life of the hero is placed by the efforts of Robespierre to capture him and the ease with which the hero escapes are the causes of the thrills. The action moves fast from the beginning to the end. Mr. T. Hayes Hunter directed it admirably. Matheson Lang, famous English actor, is very good in the part of the hero, Lord Blakeney; his various disguises to which he resorts in order to prevent recognition and capture are done by him convincingly. Margaret Hume, Nelson Keys, Hadden Mason, Juliette Compton, Douglass Payne and Harold Ruth are in the cast.

The story deals with the efforts of Lord Blakeney, nicknamed "The Scarlet Pimpernel," to protect those that were abused by Robespierre, one of the powerful men of the French Revolution. Robespierre seeks to capture him but the hero outwits him. Robespierre captures the hero's wife in an effort to make the hero surrender, but the hero succeeds in bringing about Robespierre's downfall and his execution at the guillotine.

The picture has been produced in England by Mr. Hunter for the British and Dominions Film Corporation. It is silent.

"Melody Lane" (100% TFD)*(Univ. July 21; 6,350 ft.; sil. not yet fixed)*

Disappointing! The story is "mushy," the acting of the principals and the direction indifferent. The fact that Eddie Leonard, who is a notable minstrel, is unsuitable for moving pictures, is another factor that has contributed to its downfall. Mr. Leonard has a good voice, and sings well in the picture, but he is too "cold." Josephine Dunn, too, appears as an icicle. The result of all these factors make "Melody Lane" appear mechanical. There are several situations where the human interest is deep. This is caused by the acting of little Rose Coe, who takes the part of the daughter of hero and heroine. A few song compositions, by Jake Hern, are sung; they are good and may make a great hit.

The story deals with two vaudeville troupers, husband and wife, parents of a little child. The hero, who loves his child better than life itself, is content to remain a vaudeville actor, whereas the heroine has ambitions to become a dramatic actress. Unable to put "life" into her husband, the heroine takes their daughter and deserts him. The hero is heart-broken when he returns home and finds them gone. Time goes on and hero and heroine meet again at a theatre where the heroine was to open a new play and where the hero was working as a janitor. The heroine tells him she does not want their daughter to know that her father is a cheap vaudeville actor and that it is best for their daughter's future that he go away and not try to see her. The love the hero feels for his daughter makes him weaken when he is urged by a chum of his to visit the daughter secretly. The little daughter likes the hero and plays with him. She falls and is injured seriously. The heroine refuses to leave her bed to go to take her place in the play, despite the entreaties of the theatre manager. When the hero hears that his daughter had been hurt, he rushes to his wife's home. He urges her to go on with the play. She goes. The hero's presence helps the little daughter to become well again. The heroine returns to her home and when she find out how much help the hero had been to their little daughter, begs him to stay, and vows to follow him to the end of the earth.

The plot has been taken from "The Understander," by Jo Swirling. Robert F. Hill directed it. George Stone and Huntly Gordon are in the cast.

Sentimental persons should enjoy it. It may prove a fairly good attractions for small towns. But it is not a two-dollar picture.

"The Flying Marine" (70% TDF)*(Columbia, June 5; syn. 5,951 ft.; sil. 5,736 ft.)*

An appealing, at times fairly thrilling, melodrama dealing with love and aeroplanes. The human interest is awakened by the fact that the hero, who was fond of his young brother and looked after him as if he were a father, gets the worst of it when the young brother falls in love and takes away from him the girl he loved. One feels much sympathy for the hero, and contempt (for a while) for the young brother. The thrills are caused by aeroplane flying. The most sensational thrill is caused in the end, where the hero, while jumping in a parachute from the flying aeroplane, is shown caught in the aeroplane's wires and held fast. The young brother, who was at the control levers unknown to the hero, leaves the levers and, crawling on the wing, reaches the hero and cuts the strap that held him fast. The parachute opens after the hero is released but the young brother, unable to gain control of the aeroplane, is injured mortally when the plane strikes the ground and is wrecked. Before his death, the young man admonishes the hero to marry and to take care of the heroine.

John Francis Natteford wrote the story, Albert S. Rogell directed it. Ben Lyon is the young brother, Jason Robards the hero, and Shirley Mason the heroine. The lines are intelligible at all times.

"The Man and the Moment" (36% TD)**Billie Dove and Rod LaRocque***(F. Nat., July 7; syn. 7,086 ft.; sil. 6,539 ft.)*

The story is nothing to brag about, but the capable acting of Miss Dove lifts it somewhat to the "above the

average" class. While there is no seduction in the story, yet Miss Elinor Glyn has succeeded in introducing the sex element. And not only has she introduced it, but she has managed to keep it in the mind of the spectator all the way through. For instance, the heroine, a heiress, meets the hero accidentally when her aeroplane falls on his motor boat and is wrecked. The heroine's guardian is furious and reprimands her severely, admonishing her not to have anything to do with the hero and not to go flying again. The hero, however, having become fascinated with her beauty, calls on her. The severity of the heroine's guardian's attitude prompts the hero to propose marriage to her so that she might escape his censure. The heroine accepts under the understanding that they are to be husband and wife in name only. And there is where the sex element is introduced; in trying to tell the heroine that he agrees with her proposal they are to be married but to act as if they were unmarried, the hero "runs into circles" with his talk, most of the words used by him being "you know," and words to that effect, blushing at times. This is really worse than if he had come right out and told the heroine what he had in his mind.

The heroine does not awaken much sympathy for the reason that, although the hero had broken his promise to her not to take advantage of his rights as a husband, he had not done anything that he was not as a husband entitled to do. Her brooding over what the hero had done to her is artificial because unjustified. In the closing scenes, where she, in order to spite the hero, mixes with a fast crowd and takes to drinking, she loses considerable sympathy. In fact one feels antipathy towards her because her conduct is censurable.

George Fitzmaurice directed it. Others in the cast are: Gwen Lee, Robert Achable, Charles Sellon, and George Bunny. The talking is intelligible at all times.

"Pleasure Crazed" (100% TF)*(Fox, July 7; syn. 5,560 ft.; time, 61½ min.)*

From the production point of view, "Pleasure Crazed" almost lacks nothing; from an entertainment point of view, opinions will differ—high society people will, no doubt, enjoy it, but it is hardly likely that all the picture-goers of the rank-and-file will find much enjoyment in it. It is about crooks, a faithless wife, and the love of the faithless woman's husband for the heroine, a young girl that had been forced against her will to join a gang of crooks. She had been placed by the crook confederates in the hero's home for the purpose of robbing the hero's faithless wife's valuable jewels. But the heroine falls in love with the wealthy hero, and as the hero, too, had fallen in love with her, she could not go through with the robbery. Her confederates suspect her of stalling and proceed to force her to go through with the robbery. The heroine, however, opens the safe and, taking the jewels out, puts them in the hero's travelling bag. The hero catches his wife in her boudoir with the villain, and tells the villain that he can have her because, after her indiscretion, he did not want her. The villain, however, makes it clear that he was not interested in marrying her. The wife threatens to commit suicide. She takes out of her pocket a bottle containing poison. The villain, in order to call her bluff, takes the poison and pours some of it in the hero's hip flask containing some whiskey, and then offers it to her. But she will not drink it and the villain laughs at her. The hero returns to take his flask but the heroine, incensed because he was leaving her, does not tell him that it contained poison. After his departure, the heroine learns of the danger to his life, escapes from the close watch of one of her confederates, takes a machine and speeds to overtake the hero. She runs over an embankment and wrecks the car, injuring herself, just as she had overtaken the hero. The hero carries her into the home of the gas station man, where she tells him, while he was trying to give her a sip of whiskey to revive her, that the flask contained poison. The hero then realized how much the heroine loved him.

The plot is based on a play by Monkton Hoffé; it was directed by Donald Gallagher. Marguerite Churchill, Kenneth McKenna, Dorothy Burgess, Campbell Gullan, Rex Bell, Henry Kolker and others are in the cast. The voices of all register pretty well except the voice of Dorothy Burgess; it is shrill. The picture is "raw" in several spots, making it unsuitable for the family circle.

THE WASHINGTON FIASCO AND THE CONSEQUENCES

The producers are like the person who accidentally stepped into quicksand. When they undertook to send their wrecking crew to Washington in an effort to spoil the meeting of the Allied leaders, they stepped into quicksand. When they brought the select few back to New York to confer with them for the ostensible purpose of fixing the system whereby film would be sold to you during the coming season, they sank deeper into the quicksand. When they announced through a representative of theirs that, because the Allied States renounced arbitration, they are going to reinstate the deposit system, they sank still deeper.

Through all these moves they have proved to the world but one thing—that the Hays organization is the centre of a vast monopoly, and have placed themselves in a position that may involve them in legal difficulties. That is what is the opinion of Mr. Abram F. Myers, president and general counsel of Allied States Association.

The fact that in Washington, and afterwards in New York, they acted concertedly, and that they are now acting concertedly in threatening to install the deposit system, proves conclusively that the members of the Hays organization are acting concertedly in many matters affecting their business interests. And the laws of the United States have something to say about that.

This is not the first time that the producers have acted concertedly. The McKeesport case, which is being handled for M. P. T. O. of Western Pennsylvania by Mr. Eaton, that brilliant Pittsburgh attorney, has brought to light facts that prove such co-operation conclusively. (Details will be given in the future.)

According to Mr. Palmer, Attorney-General under the Wilson administration, if business men should gather at luncheon or at any other gathering and one of them recommended the fixing of prices for a certain commodity, should two or more of the persons assembled proceed to act in accordance with that suggestion, they commit an act of conspiracy in restraint of trade, even though no other person made the same recommendation, in writing or orally, during that gathering. The cause of the Attorney-General's opinion was a request made to him by the Industrial Board. During the World War, the Government set up the Industrial Board to fix prices for the U. S. Government, so as to prevent profiteering. After the armistice, the Board, fearing that, with the lifting of the control, the prices would tumble, causing ruination to many industries, gathered at a luncheon and decided to continue the Board's activities unofficially. But before proceeding to do so they asked the opinion of the Attorney-General.

The Hays organization has violated this spirit repeatedly. They are violating it now. Only that, heretofore, no one would raise his voice in protest. Things are, however, different now; with Commissioner Myers looking after your interests, the producers will not be left to carry on their conspiracies unmolestedly.

TALKING PICTURE CONTRACTS WITHOUT SCORE INCOMPLETE

Mr. E. E. Alger, proprietor of Alger's Theatre, Peru, Illinois, contracted for the first National pictures as silent.

Several months ago he installed a sound equipment, and, having been made to believe that he was going to coin money with talking pictures, turned his silent contracts into sound contracts, paying big prices for the talking and the sound pictures. In addition, he bought the Warner Bros. talking product.

At the time he signed the picture contract he did not sign a score contract; Mr. Alger was told that he had to take the matter up with the Vitaphone representative first.

He immediately got in touch with the Chicago representative of the Vitaphone, a Mr. Grossman, who informed him that the records would cost him anywhere from \$35 to \$75 per picture. Bear in mind that he had never paid for the Warner Bros. silent pictures more than an average of ten dollars per picture.

After negotiations lasting several weeks, Mr. Alger was able to buy the rights to the scores for the Warner Bros. pictures, at greatly reduced prices, but was unsuccessful in closing a contract for the First National scores; the prices the Vitaphone-First National representative asked were so big that he could not see his way in running them.

He informed First National that he was willing to run the pictures as silent, in accordance with the terms of his silent contract. But this did not suit the First National branch manager, who took Mr. Alger before the Chicago

Film Board of Trade in an effort to make him pay for the silent pictures the synchronized prices he had agreed to pay in the transformed contract.

The Board held a hearing and declared the synchronized contracts as non-existent on the ground that they were incomplete, bringing the silent contracts into life again.

Mr. Alger has written to this office as follows:

"First National and Warner Bros. have been using this method to gouge the exhibitors in this territory. First selling him the film contract at terrible prices, the salesman telling them that if they did not get together with the score charge, the contracts would be out, but immediately approving the contract by wire and threatening him with having to pay, even if not getting together on the score charge, so that he agrees to pay exorbitant prices for the score charge. . . .

"We have been running sound in four of our theatres for some time, and while business was better until the novelty wore off, we are now not grossing any more than we did before. An exhibitor who is still holding out in installing sound equipment is fortunate, indeed, because he can profit by the experience of those who have installed an instrument.

"You should warn exhibitors that they cannot pay any more for sound pictures than they paid for silent, including score charge, because every exhibitor in this territory is losing money with sound pictures, and a number of them are on the verge of bankruptcy."

TIFFANY-STAHL'S LATEST RELEASES

An exhibitor from a Pacific Coast State writes as follows:

"A few days ago I saw 'Two Men and a Maid' and timed the dialogue: Opening 11 minutes dialogue; 3½ minutes of song while the soldiers are around the campfire, and 4 minutes' talk at the finish. It is quite obvious that this does not comply with my contract, which specifies 50 per cent dialogue, and would like to know if the balance of the pictures under my contract ('Molly and Me,' 'New Orleans,' 'Midstream,' 'Whispering Winds,' and 'My Past Lady') are also cut to about 22 per cent of dialogue."

I am sorry that I cannot give this exhibitor and all those of you that have these pictures under contract this information, for the reason that Tiffany-Stahl are holding back the release of these pictures in this territory; manifestly they fear to expose them to the critical eye of this paper.

But if your contract calls for 50 per cent talk and a picture contains much less than that percentage, you are entitled to reject such a picture; and if fifty per cent of the pictures contain dialogue below the percentage provided for by the contract, you are entitled to have the entire contract cancelled on the ground of bad faith.

If you cannot obtain a report on a particular Tiffany-Stahl picture as to the percentage of talk it contains, time it when you show it; you may then take action against them.

FOX PICTURES WITHDRAWN FROM RELEASE

The Fox Film Corporation informs the exhibitors that it has withdrawn from release "The Campus Hero," whose number on the contract is 16, "Fatal Wedding," No. 18, which was to have been founded on the play by Theodore Kramer, "Hey, Hey, Henrietta," No. 19, which was to be a story by Velvet Darling, and "All Velvet," No. 36, one of the Victor McLaglen star series. It also advises that it has withdrawn temporarily "The Exalted Flapper" (No. 23), which is a substitution, and "Chasing Through Europe."

The withdrawal of the last mentioned two pictures has been caused, in my opinion, by the fact that they are so poor that it would hurt the sales of the new product were Fox to release them as he announced recently.

THE PERCENTAGE OF TALK IN PICTURES

Notice that beginning this week the percentage of talk in each talking picture is given in the review.

Giving the percentage of talk should stop the producers' practice of selling pictures as talkers when there is very little talk in some of them.

For a picture to be entitled to be classed as a part-talk picture there must be at least thirty-five per cent talk in it.

As in the past, "F" will denote that the sound is on the film, "D" on the disc, and "DF" both on disc and on film. "N" will again indicate that there is no silent version.

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YOUR RIGHTS IN "LEFT OVER" PICTURES

I have been asked by several exhibitor-subscribers to define their rights in pictures that have not been made or not "generally released" during the life of the 1928-29 contracts. The end of the season is near at hand and they want to know what to do with such pictures.

The disposition of pictures not made or not "generally released" during the life of the contract is supposed to be covered by the second paragraph of Clause 16 and by paragraph (b) of Clause 2. But at best these clauses are ambiguous, not only to most exhibitors but also to many exchangers, even though the latter are supposed to understand every word of the contract.

The second paragraph of Clause 16 reads as follows:

"In case the Distributor shall be delayed in or prevented from the performance of this contract with respect to any of the photoplays herein specified by reason of . . . then such delay . . . shall be excused . . . In such an event the time of the Distributor to perform this contract with respect to any such photoplay shall be extended for a period equal to the time of such delay, provided, however, that in case of any such delay . . . shall prevent the Distributor from 'generally releasing' any such photoplay during the period specified in paragraph (b) of Article Second. [Editor's note: The contracts of different distributors carry different dates, manifestly to avoid showing concerted action; but all contracts start on an August or a September date and end with an August or a September date], the provisions of such paragraph shall govern, unless performance . . . is rendered impossible, in which case performance by the Distributor . . . shall be waived. The resumption of performance by the Distributor shall begin promptly after the removal of the . . . causes of the . . . prevention of performance and the Distributor shall deliver to the exhibitor any such photoplay at the earliest available date thereafter . . ."

This paragraph divides the "left over" pictures in two classes: those that will not be "generally released" during a given time, as specified in paragraph (b) of the Second Clause, and those that will be produced after the contract expired.

What shall be done with pictures that will be made outside the life of the contract is provided for by this clause—a period of time equal to the delay must be granted to the distributor by the exhibitor. After the delay is over and the producer-distributor resumed production, the distributor must deliver to the exhibitor, and the exhibitor must accept, any pictures so produced.

The question arises, however, as to how the delay is to be computed. The contract does not provide that the distributor must notify the exhibitor of any delays in production, and the exhibitor has no means of compelling the distributor to notify him of any such delays, with the result that the exhibitor will, in my opinion, be compelled to accept any delayed pictures the producer-distributor elects to deliver to him, no matter how long after the contract expired they will be delivered.

For the disposition of pictures not "generally released" during the life of the contract we must look to paragraph (b) of the Second Clause. This paragraph reads as follows:

"In case any of such photoplays (except photoplays which shall be 'roadshown') shall not be 'generally released' by the Distributor for distribution in the United States during the period beginning [in the case of the Fox contract] August 19, 1928, and ending August 17, 1929, [Editor's Note: The contracts of different producer-distributors give different dates. The Warner Bros. contract, for example, gives September 15, 1928, to September 15, 1929; that of Paramount gives August 1, 1928, to August 1, 1929; that of M-G-M, August 31, 1928, to August 31, 1929; the contracts of others give other dates, manifestly

to avoid betraying concerted action. But for our purpose let us use the Fox contract], such photoplays shall be excepted and excluded from this license unless the exhibitor shall give written notice to the Distributor not later than thirty days after such last mentioned date that the Exhibitor elects to exhibit all such photoplays hereunder. If such notice be given, the Distributor shall deliver and the Exhibitor shall exhibit such photoplays as and when available for exhibition hereunder, except that any such photoplays not so 'generally released' within two years after such last mentioned date shall be also excepted and excluded . . ."

It is manifest that this contract was made not for exhibitors of motion pictures but for professors of universities, or for metaphysicians; for only such learned persons can understand what the framers of it had in mind. Last week there were three crack exhibitor arbitrators from out of town. I submitted this clause to them for interpretation, but they, too, were confused. So you can imagine what a chance the average exhibitor has to understand it.

In trying to understand what this clause means, take care to make a distinction between pictures delayed in production beyond the life of the contract, and pictures not "generally released," whatever that means, during the period specified in paragraph (b) of Clause 2. Evidently the terms "generally released" means pictures that are made within the period specified in said Clause 2, but not released for general distribution, in this country. Under this category may come pictures that may be given a long run, not at "roadshow" prices, because that would put them in the "roadshow" class—and such a class is excluded—but at regular prices. The "regular" meaning would refer to pictures that were made within the aforementioned period of time but put by the distributor on the shelf and purposely forgotten for a while. So far as such pictures are concerned, the exhibitor must give the distributor written notice not later than thirty days after (in the case of Fox) August 17, 1928, that he "chooses" to run them, and the distributor MUST deliver them to the exhibitor, PROVIDED (and here is where the catch comes in) they are released within two years from August 17, 1928. If the distributor should "choose" to hold them back two years from that date, then the exhibitor loses all rights to them. In other words, in accordance with the provisions of the contract, you have the right to demand delayed pictures but in no circumstances have you the right to reject them, no matter whether you look to clause 16 or to clause 2. You will realize the injustice of it when you bear in mind that the distributor that holds pictures from "generally" releasing them knows what they are, good or bad, but you do not know; you play with an open hand while the distributor conceals trump cards in his sleeve. It is heads the distributor wins; tails the exhibitor loses. It is the result of the perfidy of some of the exhibitor leaders, who, during the framing of the contract, were under the complete domination of the Hays crowd.

Arbitration boards, wherever these still exist and are not under the complete domination of the producers, should not be governed by the letter of the contract but by the intent of those of the exhibitors that fought for a decent contract at the Trade Practice Conference. The intent of those exhibitors was to make it impossible for the distributors to hold back meritorious pictures, reselling them to you at higher prices later. It should be fair for such arbitrators also to give the exhibitor the right to reject delayed pictures, unless the producer-distributor notifies the exhibitor that he has been delayed in making them, giving the reasons, and stating the time when he will be able to deliver them.

Exhibitors that live in zones where arbitration has been
(Continued on last page)

"Lucky Star" (34% TFD) Janet and Charles Farrell

(Fox, Aug. 18; syn. 8,895 ft.; sil. 8,725)

Not a very good picture, although there are many situations that commend it to the picture-goer of the rank and file. The first half is extremely tiresome, because the action is very slow. In fact, it never livens up until the characters begin to talk. In addition to the slowness of the action, the story unfolds among filthy surroundings. This naturally makes it hardly suitable for first-run key-city theatres or for theatres that cater to the better classes.

The story deals with a young hero, who had returned from the World War crippled. He is all alone in this world and feels lonesome. He becomes acquainted with the heroine. She is so small that she looks like a mere child. Timidly at first the heroine enters his lowly cottage but soon she feels happy because the hero is the first person that spoke kindly to her. Her mother, an old hag, wants the heroine to marry a man of her choice. The heroine is horrified to think that she might become separated from the hero, whom she loves, and runs to him for protection. But the hero, though a cripple, vows to protect her. Her mother arrives and takes her away. The hero exerts great efforts to walk but in vain. He crawls to the station, where the heroine was to be taken away by her future husband (villain). He makes a last effort and is able to walk. He grapples with the villain and beats him unmercifully. He then holds the heroine in his arms and vows to keep her and to prevent any one from taking her away.

The story is by Tristan Tupper. Frank Borage directed it. Hedwiga Reicher, Guin "Big Boy" Williams, Paul Fix, Gloria Grey and Hector V. Sarno are in the cast. (54 minutes silent, 28 minutes talk.)

"Masked Emotions" (S) George O'Brien

(Fox, May 19; 5,419 ft.)

A fairly appealing program picture. It deals with the fondness of an elder brother (hero) for his young brother. The hero's young brother, sailing in a sloop, approaches the dismantled schooner owned by the heroine's father; he expected to find the heroine, whose bright eyes had attracted him and the hero. The lad boards the ship and, while searching for the heroine, he comes upon Chinese, being smuggled into the United States. The smuggler (villain) strikes the lad on the head and sends him head down into the ship's hold. Later a Chinaman, servant of the heroine's father, stabs the lad and, depositing him unconscious into the sloop, lets the sloop adrift. The hero, uneasy because of his young brother's failure to return to their camp, goes in search of him. The following day he discovers the sloop aground, and his young brother near death. He carries him in his arms two miles to a doctor. After an all night vigil the hero is told by the doctor that his brother has a chance to recover. The hero then sets out to find the persons that had attempted to murder his brother. He suspicions that the heroine knows something about the matter are aroused and although she knows nothing his visit to her leads to the discovery of the guilty persons, whom he punishes. The young man eventually is nursed back to health.

Ben Ames Williams wrote the story, David Butler directed it. Nora Lane is the heroine, David Sharp the hero's brother, James Gordon the heroine's father, and Farrell Macdonald the hero's chum. (Silent, synchronized with music.)

Note: This is a substitution. "Stage Door Daddies" is the contract title. Read analysis in the May 4 issue.

"The Mysterious Dr. Fu Manchu" (100% TFD) Warner Oland

(Param., Aug. 10; syn. 7,663 ft.; sil. not yet fixed)

A bloodcurdling mystery melodrama, such as the screen has not seen for a long time. Adults will be held spellbound watching the unfolding of the ramifications of the plot. Children will be attracted to it just as birds are attracted to snakes by the hypnotic spell of their eyes. It is a plot that keeps one intensely interested in the villainous doings of its chief character, Warner Oland. It would not have exerted half the spell "The Mysterious Dr. Fu Manchu" exerts were it not for the artistic acting of that incomparable actor, Warner Oland. The Chinese impersonations of Lon Chaney cannot even approach the artistic work Mr. Oland does in his impersonations of such a character. He is a smooth and a finished actor, and therefore convincing.

The plot in "The Mysterious Dr. Fu Manchu" takes the spectator back to the Boxer revolution, where the

"Foreign Devils," in bombarding the Boxers, kill the wife of Dr. Fu Manchu when a stray shell wrecks his Buddha and strikes her. The good doctor then vows vengeance. He moves to Europe and starts carrying out his work of extermination of all the officers of the armies of the nations that had taken part in the suppressing of the Boxer uprising. One by one the officers die by his hand of vengeance, until only the English officers are left to take care of. He then goes to England. There he taxes the ingenuity of Scotland Yard. One by one the British veteran officers are killed by his ingenuous villainous work. When the hero's father is killed the hero begs the chief of Scotland Yard to allow him to help in the detecting of the murderer. Dr. Fu Manchu laughs at Scotland Yard and carries his murderous work almost under their eye. But eventually he succumbs, true to the traditions of all blood-curdling and other melodramas. Only that in this melodrama, Dr. Fu Manchu kills himself, by drinking the poisoned tea he had prepared for the hero, instead of being killed by the detectives.

"Dr. Fu Manchu" should make a hit even with intelligent picture-goers, because it has been directed and acted well. The only fault one may find with it is the poor recording of the sound. The tone quality is so poor that it reminds one of a radio with run-down batteries. The actors appear at times as if being hoarse, at times as if squeaking.

The story has been written by Sax Rohmere. It was directed by Rowland V. Lee. Jean Arthur is the heroine, Neil Hamilton the hero, and O. P. Heggie the Scotland Yard man. William Austin, Claude King, Charles Stevenson, Noble Johnson, Evelyn Selbie, Charles Gybyln, Donald McKenzie, Lawford Davidson, Laska Winter, Tully Marshall and others are in the cast. William Austin deserves special mention in that the comedy work he does is a piece of art.

"Modern Love" (42% TDF) Jean Hersholt

(Univ., July 7; syn. 6,501 ft.; sil. 5,730)

This time Mr. Hersholt, this able actor, impersonates a youthful Frenchman, and he does so successfully. But the story does not contain elements that will impress the spectator. It deals with work and business, and the romantic interest does not succeed in rising above them:—

The heroine, a designer for an exclusive dress-making establishment, marries her sweetheart. But because he believes that the home is the place for a wife, she gives up her job to keep house for him. On the day she gives up her position, however, her husband loses his job. When the heroine hears of it, she decides to accept a trip to Europe which a Frenchman, representing French establishments, had proposed to her so that she might receive a finer education. Just as she is about to board the ship, however, the hero's plans for modernized overalls are accepted by the firm he used to work for and he is reinstated at a big salary. He rushes to the boat and tells the heroine the glad news. She decides to give up her trip and to return to her husband.

Beatrice Van wrote the story; Arch B. Heath and Jack Foley directed it. Charley Chase and Kathryn Crawford are in the cast. (30 minutes talk, 41 silent.)

"His Lucky Day" (31% TFD) Reginald Denny

(Univ., June 2; syn. 5,404 ft.; sil. 5,575)

Pretty good farce comedy with some melodramatic thrills. The melodrama thrills come from the fact that the hero falls into the hands of some crooks, who were making ready to rob his wealthy prospective father-in-law. The comedy is caused by Mr. Denny's acting as well as by the situations. Otis Harlan makes a considerable comedy contribution.

Whatever plot there is, it deals with a young hero, real estate dealer, who tries to sell a house to the father of the girl he loves (heroine). But the father will not consent to buy the house unless the adjoining house is first sold to respectable people. A band of crooks, who planned to rob the heroine's father, rent the house next door and proceed with their plans. But their plans go awry, thanks to the hero's efforts.

The plot has been founded on an original story by John B. Glymer. Eddie Cline directed it. LoRayne DuVal takes the part of the heroine; she does well. Eddie Phillips, Cissy Fitzgerald, Harvey Clark, and Tom O'Brien are in the cast. The lines are intelligible. (19 minutes talk, 42 silent.)

"Wonder of Women" (56% TFD) Lewis Stone

(M-G-M, June 29; syn. 8,347 ft.; sil. 8,796)

This tragedy will undoubtedly make a hit with the average picture-goer, particularly with women, because it is unusual, and because it appeals deeply to the emotions of pathos almost all the way through. The death of the child, which seems to be about four years old, is heart-rending in that it is charming, and one hates to see it die; it should bring tears to the eyes of tender-hearted people. The death of the heroine, too, is tenderly pathetic; one loves her for the love she had shown for her husband, even though he had grown indifferent toward her. Mr. Stone, who takes the part of the renowned musical composer, does the best acting of his screen career. Miss Peggy Wood is a sympathetic figure as the heroine. The direction is all that could be desired.

The plot deals with a composer, who, while travelling on the train homeward to be received by the people of his town with honors because of the fame he had gained as a composer, meets the heroine, a woman of the middle class, and is attracted by her simple charms. Instead of getting off the train, he continues travelling, and follows the heroine to her town and to her home. His romance is almost shattered when he discovers that the heroine had children. But he also learns that she is a widow. He was about to propose, but the noise the children made helped to shatter the romantic picture still more. The heroine is heartbroken when she sees him leaving, but shortly afterwards her joy is without bounds because he returns. They marry. Life soon becomes dreary to him because he was accustomed to wealth and to flattery, whereas his life became commonplace. He goes to the city. His wife, in order to surprise him and so to please him, as she thought, goes to the city, too. But she is shocked when she finds her husband in the arms of a famous prima donna. She makes the best of it. Her youngest child falls from a window and is killed. The maid telegraphs to the hero news about the accident and begs him to break the news to his wife gently. The hero, not having the heart to tell her, returns with her. He does the best he can to comfort her in her bereavement. He stays with her again. Soon he grows restless and goes back to the city, to the singer, who loved him and who waited for him. Several months later the hero returns to tell the heroine that they had better separate, but finds her dying. She dies in his arms, happy at the thought that he came back to her. The hero, heartbroken for the pain his conduct had caused his wife, determines to devote his remaining life to caring for his two stepchildren. A friend of his arranges to have one of his musical compositions, which he had written under pressure from his wife when she was alive, and which he published under a fictitious name, produced. He is invited to be present. The musical composition makes a hit and his friend introduces him to the audience as the author of the piece. He is acclaimed. The singer begs him to marry her now that he is free, but he refuses, informing her that he will devote the rest of his life to the taking care of his stepchildren.

The plot has been founded on the novel, "The Wife of Stephen Tromholt," by Hermann Sudermann. It was directed artistically by Clarence Brown. Leila Hyams, Harry Myers, Sarah Padden, George Fawcett, Blanche Frederici, Wally Albright, Jr., Carmencita Johnson, Anita Fremault, Dietrich Haupt, and Ullrich Haupt, Jr., are in the cast. The lines are pretty clear. (54 minutes talk and 42 silent.)

"Come Across" (12% TDF) Lina Basquette

(Univ., June 30; syn. 5,330 ft.; sil. 5,593 ft.)

A fair program picture, with very little talk to entitle it to be classed even as a part-talk picture. Nothing extraordinary happens during the unfolding of the action.

It is about a society girl who, wanting to learn how the other half live, obtains a position as a singing and dancing girl at a night club. Some crooks befriend her and, not knowing who she is, proceed to use her to help them rob a wealthy home. They move to a Long Island home, closed down during the absence of the occupants; it happens to be the very home of the heroine. The heroine is induced to pose as the wife of a young confederate (hero). This, coupled with the fact that he notices a growing affection between the heroine and the young crook, makes the heroine's lawyer, who loved her, call the police and accuse the hero of being a crook. But the heroine saves the situation by showing that she loves the hero and that she is going to marry him. The police arrest two of the confederates, who are notorious criminals.

The story is by Wm. Dudley Pelley; it was directed by

Ray Taylor. Reed Howes is the hero. Flora Finch, Craufurd Kent, Gustave von Seyffettitz, and Clarissa Selwynne are in the cast. (Seven minutes talk out of 58.)

THE LATEST STATEMENT FROM MR. ABRAM F. MYERS

Read this statement carefully. Mr. Myers warns you that the plan of the producers for the relief of the independent exhibitor is wrong. And he is right, for the producers did not conceive the idea of getting together this so-called relief board until the Allied States called their Washington meeting. If the producers were sincere in their belief that the film rentals were high they would have taken steps to bring about relief voluntarily and not under pressure.

Mr. Myers says: "It has been made apparent in the past few months that the Hays organization will not tolerate an exhibitor's organization which it can not control. In its efforts to smother the Allied States Association it has resorted to measures WHICH MAY INVOLVE ALL ITS MEMBERS IN SERIOUS CONSEQUENCES." Now this is a serious statement and as everybody knows that Mr. Myers is not the sort of person that talks idly, it should impress you deeply.

At last there is a man leading you that knows how to protect your interests.

"ALLIED STATES ASSOCIATION OF MOTION PICTURE EXHIBITORS

"Union Trust Building
"Washington, D. C.

"EXHIBITOR RELIEF—OR BONDAGE?"

"Trade papers closely connected with the producers are predicting that the plan of exhibitor relief worked out by representatives of the producers and representatives of affiliated theatres in an effort to side-track the efforts of this organization to secure lower film rentals, when disclosed, will provide nothing more substantial than a method for making adjustments with individual exhibitors who have been oversold on sound pictures.

"In other words, the scheme contemplates that the exorbitant film rentals and the onerous terms and conditions which brought about the campaign by this Association shall continue, with leave to the stricken exhibitors, in individual cases, to apply like mendicants to the producer agents for charity. The independent exhibitors, despite their great losses, have for the most part retained their self-respect, and they will look with lack-luster eyes on a program of 'relief' that merely increases their bondage.

"The plan is fundamentally wrong because instead of providing for fair prices and terms for all alike, it merely provides eleventh-hour relief for the exhibitor who has been gouged until he can no longer meet his obligations. It paves the way for the rankest kind of favoritism and discrimination. It clothes the producers with the most powerful club they have yet wielded over the exhibitors. Those who join the ranks of the decoy ducks and render lip service to the producers and the Hays organization will be rewarded by generous settlements. The self-respecting exhibitors who refuse to prostrate themselves before these self-constituted kings will be punished for their temerity.

"It has been made apparent in the past few months that the Hays organization will not tolerate an exhibitors' organization which it can not control. In its efforts to smother the Allied States Association it has resorted to measures which may involve all of its members in serious consequences. The present scheme, by far the most desperate yet resorted to, is to place in the film boards of trade or other representatives of the Hays organization, the power to secure adjustments for exhibitors on the brink of ruin on such terms as regards affiliation, etc., as such representatives see fit to impose. There are indications that certain of the producers believe their interests are being jeopardized to save the faces of certain of their agents, and it is respectfully submitted that those gentlemen will not fail to grasp the full import of the scheme now hatching.

"Sit tight and you will win.

"The film market is an inflated market and it can not be maintained at present arbitrary levels unless the exhibitors allow themselves to be misled by promises of adjustment into buying beyond their necessities at current prices. Do not buy beyond your needs and you will contribute to the inevitable break in the present market. You can beat this thing if you sit tight and do not allow yourself to be stampeded into Mr. Hays' suicide pacts for more films than you can use at higher prices than you can pay."

dropped may attack this contract in the Equity Court; they are sure to have it canceled, for no fair-minded judge could tolerate such dishonesty of purpose as is evidenced in this so-called "equitable" contract.

The need of a reformed contract, to be drafted by persons that have the exhibitor's interests at heart and not by tools of the Hays organization, is apparent more than ever. And the only person that is fit for such work is the head of Allied States Association, Mr. Abram F. Myers. So, if you want a decent contract, give Mr. Myers your wholehearted support.

BEGGING FOR BUSINESS

Distributors are begging for business; they are offering their pictures for anything they can get, but there are no buyers. Fox has offered to let you have the score at \$5 for the engagement. Others have cut the score charges almost to nothing. An exhibitor from Pennsylvania told me that he succeeded in getting a fifty per cent reduction in his score charges for pictures he had under contract by merely asking for such a reduction. He assured me that if he had demanded a seventy-five per cent reduction he would have undoubtedly got it. He "kicks" himself for not having asked for it. Others write me that they took their instruments out to cure the high score charge evil. One of such exhibitors is Mr. E. E. Sprague, of the Sherman Theatre, Goodland, Kansas.

But exhibitors are not being moved by the producer-distributor pleas for business. They are sitting tight and will not make purchases of new product until a time comes when they can get it at less than last year's silent prices.

Heretofore the opinion prevailed that the exhibitors could never learn; that they can be taken "high" year after year but they will again "bite," because, as these persons used to say, "the exhibitors are moved by their emotions and not by their intellect." In other words, they accused you all of letting your feelings dictate to your reason. But your behavior this year has belied the belief of these persons, for it seems as if every exhibitor in the United States has learned his lesson.

The tumbling of the high film rentals and of the score charges is owed largely to the intelligent manoeuvring by Mr. Abram F. Myers, President and General Counsel of Allied States Association of Motion Picture Exhibitors. The suggestion he made to the State leaders to call conventions and to denounce the high charges for film and for score started the snowball a-rolling. And his Washington conference made the snowball become a mountain.

There is no question that when they called the New York rental reduction meeting they had in mind to hoodwink you again, but the agitation went beyond the limit where they could control it. As a result, they are now willing to accept anything you give them.

Hats off to Commissioner Myers!

Will H. Hays dreads Mr. Myers' very shadow. He knows, and we know, that this is the first time that the exhibitors had a national leader that can stand on an equal footing with him. His influence in Washington is more powerful than is the influence of Will H. Hays. Because Mr. Myers represents a just cause, the legislators in Washington are willing, not only to listen to his pleas, but also to help him in any way they can.

Another evidence that Will H. Hays dreads Mr. Myers is the fact that he has never called him into conference (Mr. Myers has never asked for one). Mr. Hays used to say that he is willing to confer with the organized exhibitors but that he does not know with whom to confer, because you had no leader. But now that he knows that Mr. Myers is the only exhibitor leader authorized to speak for the independent exhibitors, he not only does not send for him but calls into conference fake leaders in an effort to make the American public believe that all is serene in the motion picture industry.

Mr. Hays has fooled you long enough; he is not going to fool you any longer—not, at least, with Commissioner Myers' knowledge.

If Mr. Myers has, in the short time that he has been head of Allied States, been able to do so many things for you with very little support, imagine what he will do if every independent exhibitor stands back of him! Organization is insurance. So if you want to insure your business against encroachment on the part of the theatre owning-producer-distributors and of other producer-distributors, stand back of him to a man.

Write him now! Encourage him in his fight for the protection of your interests: His address is, Union Trust Bldg., Washington, D. C.

A JUST AWARD!

The June 20 issue of the *National Exhibitor*, which paper is published by David Barrist in Washington, contains information to the effect that the Cameo Theatre, Mt. Ranier, Va., was awarded \$58.50 damages because "The Voice of the City," a M-G-M picture, was faultily synchronized—it started perfectly but ended out of synchronism.

VITAPHONE ACTS "DIRT CHEAP"

The July 15 issue of the *Exhibitor*, published by David Barrist in Philadelphia, contains the following item:

"Vitaphone acts in the smaller Warner-Stanley houses have been cut to five dollars a day, according to well-authenticated reports, while the same sources declare that, starting July 10, score charge on Warner features for the same houses were slashed to seven fifty a day."

There is no reason why Warner Bros. should not charge prices so high for their own houses, but there is not a single reason why the independent exhibitors should pay them. The acts cost half as much as the silent comedies used to cost, and records that have been run to death, the original cost of which is only sixty cents, should cost the smaller exhibitors nothing.

Do not forget that the motto now is, "The prices for sound pictures this year should be twenty-five per cent. less than the prices paid for silent pictures last year and no score charge." Sound pictures and acts cost less to make than silent pictures.

AGAIN ABOUT THE FOX RESERVATION

Referring again to the reservation the Fox Film Corporation put into its literature, as explained in last week's issue, let me make its meaning clearer: If Fox should sell you a picture with, say, Janet Gaynor and Charles Farrell, to be founded on the book of a famous author, such as, for example, Rex Beach's "The Spoilers," it reserves the right to deliver "Skin them Alive," with Sally Phipps and Nick Stuart. In plain words, its Production Organization will be the arbiter, if you should be foolish enough to sign such a contract, as to what is good for your customers or what is bad for them.

Last year the Fox Film Corporation assumed such a right without your consent. The result was that eight out of every ten pictures it delivered were crook plays, most of them also immoral and unsuitable for the family circle.

If you want to appoint the Fox Film Corporation as a something, why not appoint it a sanity expert?

THE PRODUCERS ARE IN FOR A BATTLE

The arbitration clause in the contracts was inserted with the consent of your representatives. Without their consent, it would have been impossible for the producers to insert it, for such an act would have been in violation of the laws of the United States.

What are they going to do this year in states where arbitration has been dropped by the exhibitor organizations? It is natural for them to attempt to set up outlaw boards. If they do, they are in for a fight that will not be to their liking, for any such attempt may lead them to legal entanglements out of which it will not be so easy for them to extricate themselves. And I am sure they relish no boxing with the Law, if one is to judge by the experience they have had on the Coast, where criminal indictments are hanging over the heads of some of them.

If more than two distributors should insert an arbitration clause in the contract offered to the exhibitors in states where arbitration has been dropped, they may be found guilty of violating the Sherman Anti-Trust Act.

M-G-M AND "LEFT OVER" PICTURES

M-G-M is sending to its customers circulars asking them to state if they want pictures that have been left over. Among such pictures are, two Marion Davies, three Norma Shearers, and one Greta Garbo.

My advice to you is to notify M-G-M that you want these pictures when they are made, even though I doubt if that will do you any good, for M-G-M may make these pictures and, if they should turn out to be good, refuse to deliver them to you, just as it refused to deliver "The Trial of Mary Dugan," produced with your star.

If any other producer-distributor should ask you whether you want his "left-over" pictures or not, use your judgment.

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"DUPED" SOUND

Numerous complaints have reached this office from exhibitors who have a disc instrument that the sound reproduction of some subjects is so inferior that it drives customers away. The fact that the sound in some subjects is very good is a proof, they say, that the fault does not lie in the instrument.

With the exception of Warner Bros. and First National, the sound-on-disc of all companies is "duped," having been transferred from the sound-on-film.

The tone quality of the sound given by a record that has been made from the variable width sound-on-film system is better than the tone quality given out by a record that has been made from a variable density sound-on-film, for the reason that any defects on the variable density sound track are recorded on the disc.

Defects on the sound track of the variable density system may occur because of either imperfect stock, or imperfect developing, or static. These cause ground noises.

Defects on the sound track of the variable width system are not as serious as those on the sound track of a variable density system, for the reason that they cannot occur on the transparent part of the track, and if they occur on the dark part, through which no light passes, they can be painted over, and thus eliminated, whereas no brush can touch the sound track of a variable density system without making the defect worse.

RKO, Pathe, Tiffany-Stahl, Educational and Sennett are using the variable width (Photophone) sound track; all the other producer-distributors are using the variable density (Movietone) sound track.

The deterioration of the sound when transferred to the disc from a variable width sound track is anywhere from fifteen to twenty-five per cent. The deterioration of sound transferred from a variable density sound track is anywhere from thirty-five to seventy per cent. So in contracting for sound pictures, have in mind these facts.

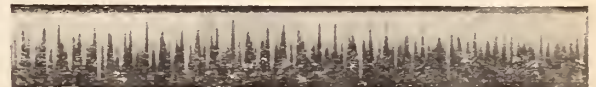
It is my opinion that exhibitors who bought "sound" pictures and were not told that the sound on them was "duped" have the right to demand the cancellation of their contracts. Any court should declare such contracts invalid, if the facts were presented to the judge and the jury by a competent lawyer.

In contracting for "sound" pictures in the future, take care to insert in the contract, "The sound to be original." In this manner you protect your business.

I have been asked by some exhibitors to include in the review an appraisal of the tone quality. I should like to do this but it is almost humanly impossible to do so with pictures that have both sound-on-film and sound on disc, for the reason that the prints the producers show in the theatres in this city are the ones that have the sound recorded on the film; the sound-on-disc prints are not made until several weeks, and often months, have elapsed, for the reason that first-run theatres in key-cities, and the better class theatres in big cities as well as in the smaller towns, have a sound installation that takes both systems, disc and film. And these are the ones that use the film first.

If you have only a disc installation, a review of pictures that have both kinds of sound is not necessary; the percentages of deterioration, given in this article, and a close examination of the sound tracks in the cuts reproduced in these columns, should make it perfectly clear to you that, to run pictures in which the sound has been duped from the variable density (Movietone) system is suicide; it is not only like throwing money away, but also like wanting to chase patrons away. It is bad enough to run pictures in which the sound has been transferred from the variable

width system, let alone to run films the sound of which has been "duped" from the variable density system.



Variable Width Sound Track

According to this reasoning, you should show pictures with "duped" sound only if such sound has been transferred from the variable width system, and you should not



Variable Density Sound Track

pay for them as much as you should if you had a film attachment also, but you should very seldom show subjects whose sound has been "duped" from the variable density (Movietone) system.

In the case of Warner Bros. and First National, let it be said that their disc sound is original, and, although it is never as good as the film sound, it is, as a rule, far better than duped sound even when made by the variable width system. But it would further the interest of the industry better if Warner Bros. should adopt the sound-on-film system, for they would eliminate the express charges on the records, which are a heavy burden upon the small exhibitor, and the chance of shipping the wrong records, as is now frequently the case. It is Warner Bros. that are holding back the complete elimination of the sound-on-disc system, which will eventually have to be discarded, if the industry is to progress, for the reason that the tone quality given by disc records can never be as good as the tone quality given by the film. The reasons for this have been adequately explained in Article No. 1, printed in the issue of August 18, and in Article No. 7, printed in the issue of October 27, 1928.

THE ORGANIZATION SPIRIT NOT DEAD

For the last five years the national, and in many states the local, activities of exhibitors along organization lines were so weak that it was thought that the independent exhibitor organization spirit was dead forever. The inroads the affiliated circuits made into the independent exhibitor field was pointed out in an effort to prove that there were no independent exhibitors left.

But the independent exhibitor organization spirit was not dead; it was merely dormant, and required but a strong stimulant to revive it. The exhibitors were so "misled" by leaders that were under the influence of the producers, that they became discouraged.

The good thought of some exhibitor leaders in engaging Hon. Abram F. Myers, former member of the Federal Trade Commission and an able lawyer, to lead the independent exhibitors has proved that the organization spirit is alive. In the last three weeks, Commissioner Myers has been kept busy answering letters, telegrams and telephones, from independent exhibitors, asking in what way they can be of service in organizing the independent exhibitors of

Continued on last page

"The Single Standard" (SD)—with Greta Garbo

(M-G-M, July 27; syn. 6,574 ft.; time 74 minutes)

The story is ordinary but skillful direction and artistic acting, particularly on the part of Miss Garbo, raises this picture to the class of pictures far above the ordinary. It is a sex theme, without any disguise, and its greatest appeal is to the sexual passions, even though it has been handled most artistically, and even though an attempt has been made to sugar-coat it, for fear of the censor, whenever such a despot exists. The heroine is presented as being tired of the hypocrisy of men and women, and as being desirous of living an honest life, a life where she can love and be loved regardless of conventions. She at last finds her man, an artist, and follows him on a holiday in the tropical seas aboard his yacht. But he, wanting to leave a memory of their happy days vivid in his mind for the years to come, orders the captain to turn back; he leaves her back home, and then departs for the deserts of China. The heroine finally gives in to a persistent admirer and marries him; he asserting to her that he will guard her even if the former lover should return. The lover, haunted by her memory, returns. They accidentally meet again. She goes to his yacht and is almost ready to follow him but she desists because of her child, a boy, whom she worships. She returns home and tells her husband she is no longer afraid of her former lover. The departing of the yacht makes them both happy.

The showing of the heroine refusing to follow the former lover again because of her child is unnatural and inconsistent with the other action. It is a forced twist to the story, given to it for convenience. The producers knew, of course, that, to follow the natural inclination of the characters, as logic demanded, would have brought a great outcry against the picture and might even cause it to be shelved. But even as delicately as it has been handled, it is not a picture for young boys and young girls, particularly not for young girls, for the reason that it teaches them a bad moral lesson. It is suitable only for adults.

The plot has been founded on the novel by Adele Rogers St. John. It was directed by John S. Robertson. Nils Ashter and John Mack Brown are in the cast. (The length of the unsynchronized version has not yet been determined.)

"Masquerade" (100% TFN)—with Alan Birmingham

(Fox, July 14; syn. 5,643 ft.; 65 min.)

A pretty fair comedy drama with mild suspense and a nice love story. The plot is familiar but the picture is well directed and entertaining and the acting is good. The talk, though intelligible, is not always well recorded, giving a poor tone quality at times.

It is one of those dual-role stories in which Mr. Birmingham impersonates a well-to-do bachelor and a notorious crook, with the resulting complications of mistaken identity. He, as the hero, meets the heroine coming from his apartment and falls in love with her, even though he later learns that she is a crook. He meets her again while going to his country estate. She succeeds in taking his car. Finding her robbing his house, he pretends to be a burglar and becomes her partner. She does not want the jewels and agrees to meet him later in a restaurant to give them back to him. In the meantime the hero's double, a crook, learns of their plans and prevents the hero from keeping the appointment by locking him in his apartment closet. The heroine becomes suspicious and goes to the lawyer's office where the hero, after making his escape, finds the heroine grappling with the crook. On the roof the hero beats up the crook, who falls through the skylight into the office where the detective had gone to arrest the hero and the heroine. The hero learns that the heroine had found the paper she had been looking for and thus saves her father from having to serve a prison sentence for a crime he had not committed. They agree to marry.

Alan Birmingham, a newcomer, has a pleasing screen personality and his voice registers well; his diction is more British than American, but agreeable. Miss Hyams is a beautiful heroine and her voice, too, registers well. Clyde Cook, as the English valet, and J. Farrell McDonald, as the bungling detective, contribute all the comedy.

Russell Birdwell directed it from the story by Louis Joseph Vance adapted by Frederick H. Brennan.

"The Girl in the Glass Cage" (54% TD)

(First Nat.; syn. 7,159 ft. June 23; sil. 6,705 July 7)

Mediocre! Aside from the fact that the characters do

not do anything that would arouse the spectator's good will for them, the story unfolds in sordid surroundings, and the honor of a young girl is the thing the attention is centered on. In addition to these defects, Mr. Nye, who has been given the part of the hero, is altogether miscast; no one will believe that this frail-looking young man would have been able to down with his punches a villain almost three times his size. It is so ridiculous that people will laugh at it, even when he knocks the villain down.

The story revolves around a young heroine, living with her uncle, a drunkard. She works in a theatre. The villain covets her, and when she becomes acquainted with the hero he so resents it that he prepares to manhandle him. A friend of her uncle makes an effort to "win" her. He is shot and killed by an unknown person while he is standing in front of the heroine's room, talking to her, after she had ordered him to go away and not to molest her. The heroine, thinking that it was the hero that had committed the murder, takes the blame upon herself. She is tried and convicted for manslaughter, but a chance remark of the hero, who was present at the trial, induces the District Attorney to hold him as a material witness. It becomes known that the heroine had admitted guilt to save the hero, who she believed had committed the murder, but when she is convinced that he is innocent, she asks permission of the court to cross-examine some witnesses. She calls a half-wit, friend of the villain, on the stand, and by questioning him she brings out the fact that the villain had committed the murder.

The story is by George Kibbe Turner; it was directed by Ralph Dawson. Loretta Young is the heroine. This makes the story a star substitution, in that Dorothy Mackaill was promised with this story. Others in the cast are: George Stone, Mathew Betz, Lucien Littlefield, Ralph Lewis, Julia Swayne Gordon, Charles Sellon, Robert Haines and William Holden. There is silence in the first 37 minutes and talk in the remainder, 42 minutes.

The picture is unsuitable for the family circle; the scenes in the heroine's room where her uncle's friend forces his way in and makes insulting proposals to the heroine are really disgusting.

"Two Men and a Maid" (24% TFD)

(Tiffany-S., Aug. 1; syn. 6,423 ft.; sil. not fixed)

Mediocre! The characters do nothing to arouse the sympathy of the spectator. On the contrary, they do things that arouse his antipathy. For instance, the hero deserts his wife because, when after their wedding they moved to the hotel, the maid made a certain remark that aroused his suspicions about her fidelity. He does not wait for an explanation, but leaves her flat. Matters become worse when he returns to her five years later and begs her forgiveness. The entire second reel is insulting to decent people, in that a girl is shown in a wine shop in an African desert living with one of the officers of the Foreign Legion. It is this girl that the hero falls in love with, after he had deserted his wife and had joined the Foreign Legion to forget. The sex element is constantly kept before the spectator's eyes.

In the development of the plot, the hero is shown falling in love with this girl and wanting her, even though she had been the mistress of one of the officers. While the hero is in the heroine's room, embracing and kissing her, a revolver, which was standing on a shelf, falls near a gas heater. The heat of the flame causes one of the bullets to explode, striking the heroine in the back and mortally wounding her. She induces the hero to desert so as to save himself from an accusation of murder, with consequent death. The hero is caught and brought to the dead girl's lover, who was in command of a detachment. But because of the request made to him by the dead girl, he does not punish him. After his enlistment expires the hero, having learned from the dead girl what love is, returns to his wife and begs her forgiveness.

The story is by John Francis Natteford. It was directed by George Archainbaud. William Collier, Jr., Alma Bennett, Eddie Gribbon, and George E. Stone are in the cast. There are eleven minutes of talk in the beginning, and six in the end. (The sound-on-film version was shown at the New York Theatre.) The first talk is fairly intelligible, but not the talk in the closing scenes; it "booms" too much, making the lines hard to understand. Altogether there are 17 minutes' talk out of 71. There are about three minutes of singing and one line spoken somewhere in the middle, but these are "faked" in.

Not a picture for family custom.

"Smiling Irish Eyes" (100% TD)—with Colleen Moore

(*First Nat.*, syn. 8,550 ft. Aug. 3; *sil. not set*)

There are troublesome days ahead for First National; not because the picture is bad, but because it slights the feelings of the proud Irish race, for an Irish girl is shown fraternizing with a pig, which she calls Aloysius; she almost lives with him. Colleen Moore is, of course, Irish, and so is her husband, John McCormick. But this fact will hardly soothe the Irish temper, which was deafeningly exploded in the case of "The Callahans and the Murphys."

The picture itself is not bad; there is much comedy in it and the action holds the attention of the picture-goer from the beginning to the end. But it is not of a two-dollar admission calibre, to which height First National is trying to elevate it by giving it an extended run; it is just a good picture, slightly above the program grade, the kind which everybody should like but which the majority of the Irish may dislike.

The First National press sheet does not state who wrote the story, but it states that William A. Seiter directed it, with James Hall as the hero, and Claude Gillingwater, Robert Homans, Tom O'Brien, Robert E. O'Connor, Aggie Herring, and Betty Francisco in the cast. The story depicts the young hero, an amateur violin player and gifted with a good voice, composing music and the heroine fitting the words to it. They compose and fit with words a song they call "Smiling Irish Eyes." The hero goes to America to make his fortune and to send for the heroine. He has a hard time of it at first, but at last he is successful; their song makes a hit. After some misunderstandings hero and heroine marry.

"The River of Romance" (100% TDF)—with Buddy Rogers

(*Param.*, July 20; syn. 7,009; *sil.* 7,082 ft.)

It is a very good entertainment.

The action is pretty fast all the way through, and there are some suspenseful moments here and there. Comedy occurs in liberal quantities; this is caused mostly by Charles Rogers' impersonation of a killer. In the scenes where the young hero, after tasting of success once, bullies the villain, with a strong voice ordering him to sit down, made everyone laugh heartily at the Paramount, where this picture was shown. The situation showing the hero grappling with one of the most vicious men of that period, a veritable killer, and giving him a good beating, holds the spectator in tense suspense.

The story unfolds in the South, in the days when people used to let their hair grow below the temple, and when men were supposed to be more chivalrous than they are today. The action revolves around a young hero, son of a proud old Southerner. Because the hero refuses to fight the villain, who had insulted him because of the coquette he was engaged to, which coquette the villain wanted as a wife for himself, the father tells the hero that he had violated the Southern code of ethics. The hero goes away and returns a few years later, courageous to the point of challenging the villain to a knife duel. His honor is vindicated when the villain refuses to fight. The heroine, who loved the hero, and who waited for him, is happy when the hero's parents consent to their marrying.

The talk is not clear at all times. In some scenes the resonances are very pronounced. William Wallace directed it. Mary Brian is charming as the young heroine. June Collyer does good work as the coquette. Henry Walthall, Wallace Beery, Fred Kohler, Natalie Kingston, Mrs. George Fawcett, Anderson Lawler and George Reed are in the cast. The plot has been founded on Booth Tarkington's "Magnolia."

"Evangeline" (SD)—with Dolores del Rio

(*United Artists*, Aug. 24; 8,268 ft.)

For a summer season, United Artists could not have released a worse picture. The depression caused by the heat is enough to make picture-goers go home gloomy and dissatisfied, let alone for them to see a picture that makes them feel as if they had attended ten funerals in one day.

"Evangeline," which is a picturization of Longfellow's poem, made into a story by Finis Fox, may be an excellent document for schools, because it would give school children an opportunity to see the characters of the poem take flesh. But it is not suitable for an entertainment; very few people relish the idea of watching a heroine go through so unhappy a life, not rewarded with happiness even in the end. In England and the British dominions, it will be disliked also for another reason—because it pre-

sents the English of those days as cruel and barbarians; their governor-general had the Acadians evicted from their homes and made to scatter to the four corners of the United States because they would not fight France, for the reason that they were French descendants. The soldiers are shown as most inhuman, separating husband and wife, and mother and children, without showing any sympathy at all even for the innocent children.

The story deals with the separation of hero and heroine, Evangeline. Evangeline goes through life seeking her loved one. Years later, she, now gray haired, comes upon him in Philadelphia; he was dying during an epidemic. He expires in her arms.

The music is pretty good, and the tone quality the best that could be obtained out of a disc. Miss del Rio is shown as singing at three different times. But the voice is not hers; it was superimposed afterwards. There is nothing striking in the singing, and therefore it could have been left out. Any attempt to make the picture-goer believe that he is getting an original voice when he is getting only a "doped" voice is cheating of the worst form. Producers would do well to stop this form of cheating.

ALLIED STATES ASSOCIATION OF MOTION PICTURE EXHIBITORS

Union Trust Building
Washington, D. C.

"The Mountain labored and brought forth a gnat"

The dust which was kicked up in an effort to obscure the meeting held by this Association in Washington on July 2 having settled, there is revealed to the independent theatre owners of the country a plan of "exhibitor relief" of a type with which they are entirely familiar.

The producers, members of the Hays Organization, will undertake, through their branch managers to make adjustments with the expiring independents, whenever the latter can "produce justifiable reason for the reduction of score charges and film rentals"; i.e. justifiable in the eyes of the branch managers.

The Hays Organization whenever confronted by an issue which can not be otherwise evaded calls a conference of amenable producers and alleged independent-exhibitors and works out an informal program, always voluntary on the part of the producers, to tide them over the crisis and which may be thrown into the discard as soon as the pressure abates.

The manner in which the high purpose of the Trade Practice Conference was subverted to industry politics is green in the memory of the exhibitors. The producers would not agree to any binding resolution on the all-important subject of block booking. They "voluntarily" agreed, among other things, that "news reels and short subjects will not be included in any block with features, and the lease of news reels or short subject blocks will not be required as a condition of being permitted to lease feature blocks or vice versa." And yet I have affidavits from numerous exhibitors affiliated with this Association to the effect that producer-distributors, parties to this "statement of policy" are, as a matter of fact, demanding that exhibitors take their talking acts and news reels as a condition to obtaining feature pictures. . . .

The independent exhibitor, therefore, is justified in looking askance at this latest "voluntary" understanding by the producers, and in concluding that the whole affair was cooked-up to drown his voice in giving utterance to his just grievances. . . .

Accept the palliative but do not cease to fight for a remedy.

The present plan is at best a palliative. It may be a means of affording temporary relief to some sorely stricken exhibitors. I sincerely hope that it will. But we must not be beguiled into a false sense of security. The plan is not a remedy. We must continue the struggle for a solution that will have some element of stability. Exhibitors under this plan are dependent on the whim of the producers. They have been placed in the category of charity patients. It may be necessary for some to swallow their pride and accept the dole. But a solution which will bring respect for their rights and protection for their investments can be achieved provided the exhibitors hold to their purpose.

The developments dealt with in this statement make all the more necessary the fight for the Brookhart Bill and other measures on the program of this Association. The misleading statements concerning the bill circulated by producer agents are being compiled and will shortly be released by this office. In the meantime, if you are in doubt concerning any claim made for or against the bill, communicate with this office.

their respective territories. These exhibitors are willing to take orders from Mr. Myers in whichever way he thinks they can be of service to him for the cause. They all feel that they have found the man who will lead them properly, who will organize them so efficiently, that their interests will be protected.

Colorado, Wyoming, New Mexico, and the Black Hills of South Dakota (the remainder of South Dakota is already in the movement, being part of M.P.T.O. of Minnesota) are the latest recruits. At a meeting held in Denver on the 23rd, 24th and 25th of July, the convention went on record to affiliate with Allied States, not passively, but actively, in everything, including the Allied stand on arbitration and on the Brookhart Bill. (Messrs. Richey, of Michigan, and Steffes, of Minnesota, attended that meeting.) Iowa, at a meeting held in Des Moines on July 22 and 23, voted to throw Hays' arbitration "baby" out of the window.

And this is only the beginning. Many surprises are in store. Exhibitors are sick and tired of the political manipulations of the Hays crowd and are rallying behind the one man whose shadow the Hays crowd dread, as has been evidenced by their efforts to disrupt the Allied Washington meeting, and by their rush to tell the industry and the American public through the daily as well as the trade press that everything is serene in the motion picture industry, and that the independent exhibitors have reached the millenium with the decision to grant adjustments to "sound" exhibitors.

Have you written to Mr. Myers yet? Have you made an offer to do all there is in your power to bring your territory under the banner of the independent exhibitor movement he heads? It is your only salvation. No permanent good can come out of relief given you in the form of alms. Even if you get a slight relief now, they will take away from you a little later what they will give you now. You can command respect, not when you stand hat in hand before the producers begging for relief, but when you stand back of a leader such as Commissioner Myers, demanding what rightfully belongs to you. A decent contract, the right to use United States money to buy goods with, laws to protect you against being put out of business through the erection of a theatre in your zone by one of the producers, who may think that you are not paying him enough for film—these are only a few of the things you are entitled to. And you can get them only by standing back of Mr. Myers to a man.

APPLY FOR READJUSTMENTS AT ONCE!

Speaking for his company and for eleven other producer-distributors, Mr. Sidney R. Kent, General Manager of Paramount Famous Lasky, is advising such of "sound" exhibitors as were oversold during the 1928-29 season to apply for readjustments of the prices at once; the branch managers of these companies have been instructed to grant such readjustments whenever the exhibitors are, in their opinion, entitled to them.

The following are the companies Mr. Kent spoke for: Columbia, Educational, First National, Fox, Metro-Goldwyn, Paramount, Tiffany-Stahl, RKO, United Artists, Universal, and Warner Bros.

It has become known that Mr. Kent fought, not only for the readjustment of the 1928-29 sound contracts, but also for the elimination of the score charges. But he did not meet with equal success in the matter of score charges, for the reason that Warner Bros. and First National stood solidly and unqualifiedly against it. These two companies, in fact, stood against granting readjustment at all. Eventually, however, Mr. Kent had to give in on the one point and First National and Warner Bros. on the other.

The elimination of the score charges entirely would have been but a just move on the part of the producer-distributors and would have done away with a deliberate discrimination, for they are not making any such charges to the affiliated circuits. It has become known, for example, that Publix has never paid for score charges to any producer-distributor except to Warner Bros. and to First National.

HARRISON'S REPORTS has had occasion to criticize severely Mr. Kent and his company, but in justice it now cannot help commending him for the valiant fight he put up for the elimination of the score charges and for the final decision of all companies to grant adjustments.

The fact that Mr. Kent did not succeed in eliminating the score charges, however, should not discourage you.

Right now you should make your application for readjustments at once, resolving, when you are ready to buy the new product, not to pay for score charges to any company. The salvation of your business will depend on three things: the elimination of the score charges; the getting of your pictures at "silent" prices; and the enactment of the Brookhart Bill into a law. Remember that if you were to get your pictures at the most reasonable figure you could ever hope for, your business will not become stabilized until you are able to buy the pictures that your customers want, and not all that the Hollywood cliques make.

The decision of the producers to grant readjustments was not made, of course, until after Mr. Myers took up the fight. The producers called a picked exhibitor committee ostensibly to negotiate with them, but really to avoid making themselves appear as if they were being forced into that position. But since results are what count no one will quarrel with them.

SETTING AN EXAMPLE FOR FAIR DEALING

M-G-M is the only company that has so far done the decent thing to ask its customers whether they want their "left over" pictures or not.

Look over paragraph (b) of Clause 2 of your contracts with all companies and find out what dates are given in them. Then send a notice to the producer within thirty days from the 1929 date informing them whether you want the "left over" pictures or not.

In the case of Fox, your notice must be sent not later than September 16, 1929; in the case of Paramount, not later than August 31; of M-G-M, not later than September 30; of Warner Bros., not later than September 14; of Columbia, not later than September 30; of Rayart, not later than September 30; of Tiffany, not later than September 30; of Universal, not later than September 30. In fact, you should send your letter now, advising them to consider such letter as if sent in accordance with the provisions of paragraph (b), Clause 2, of your contract with the particular company you are writing to; otherwise you are liable to forget.

OH, FOR GALL!

An exhibitor from this state writes as follows:

"Have you heard the latest selling scheme of M-G-M? One of their salesmen called on me yesterday and offered me their entire output of fifty-six pictures provided I accept to have a provision inserted in the contract giving M-G-M the right to withdraw any eight of the fifty-six if they should turn out to be hits. Can you beat that?"

This is nothing as compared to what the producers are going to demand of you unless you rally behind Abram F. Myers, who heads the independent exhibitor movement. So long as you allow yourselves to be put to sleep by such hypocritical efforts on the part of the producers as committees on readjustments and the like, and so long as you permit them to make you believe that the Brookhart bill is against your interest, that long you will receive outrageous selling terms such as M-G-M is now offering you.

Your only salvation is for you to join the independent exhibitor movement. Do it now! Mr. Myers' address is, Union Trust Bldg., Washington, D. C.

"DUPED" SOUND IN FOX'S MOVIE TONE NEWS

Fox is making Movietone News with sound-on-disc by "duping," and some subscribers have asked me to inform them if it can be as good as the sound-on-film Movietone News.

The important part in a "Sound" News, aside from the subjects, is not the tone quality but the noises. Such being the case, the fact that the noises made by the sound-on-disc Movietone News are not exactly as good as the noises made by its twin brother, the sound-on-film News, should not be a bar to your buying it, if you think that your business would benefit thereby.

Of the Sound News in the market, the Fox Movietone News is far better, for the reason that the Fox Movietone forces are not content to wait until things happen for them to photograph them; they create news themselves.

If Fox could deliver feature subjects produced with the same care as he is producing the Movietone News it would have been a blessing, not only for the exhibitors, but for Fox Film Corporation itself.

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DON'T BECOME YOUR OWN HANGMAN

The Hays organization, in order to prevent the crumbling of its throne, is exerting great efforts to set up outlaw arbitration boards in the states where arbitration has been dropped. It is making appeals to exhibitors that are not members of local exhibitor organizations to act on the board.

In some cases the Hays forces are succeeding; in some they are not.

HARRISON'S REPORTS appeals to you, if you are not a member of an exhibitor organization, not to accept appointments on such boards for various reasons, one of such reasons being to refrain from placing yourselves in probable legal difficulties. Remember that it is illegal for more than two producer-distributors to insert an arbitration clause in the contract, unless it is done with your consent through your representatives.

The old contracts carried the arbitration clause because you agreed to it through your representatives.

The arbitration rules provide that the exhibitor arbitrators, in case the local exhibitor organization shall fail to act, shall be appointed by the President of the Chamber of Commerce, or by the Mayor of the City, at the request of the President of the Film Board of Trade, or, if either of these officials fails to act, by the President of the Film Board of Trade himself.

The recognized exhibitor organizations are failing in most territories to act, but their failure to do so has been caused by their belief that the arbitration boards, as presently constituted, are in violation of the laws of the United States. Only a court could say that they are wrong in their attitude, and since no court has yet so decreed the setting up of outlaw arbitration boards by the producers may involve them into legal difficulties and may cause you to be dragged into them, for if they are found by the courts, where the Allied leaders are bent upon taking this matter, as violating the laws, you may be found as having conspired with them, if you should accept an assignment on such a board.

Aside from the legal question that is involved, your own self-preservation requires that you refrain from taking part in any such board. The producers are offering you concessions now, not because of their good heart, but because they have been forced to do so by Commissioner Abram F. Myers. The Washington meeting of July 2, at which meeting the Allied leaders voted to drop arbitration and to carry the matter to the courts, forced the producers to give concessions to you in an effort to stem the Allied tide. If you should weaken and take part in these outlaw boards and the efforts of Mr. Myers and of the other Allied leaders are defeated, the producers will immediately withdraw their concessions from you and you will find yourself in a worse position than before. That is what has been the experience in the past.

By standing by the Allied leaders, irrespective of whether you are a member of that Association or not, you may cause yourself some inconvenience and even some financial loss, but it is better for you to stand such a loss now than a greater loss, perhaps the loss of your entire investment later. Remember that through all the centuries people obtained their liberty by sacrifices. So if you want liberty you must sacrifice something. The producers will respect you more if you stand by your rights now; they will look down upon you if you should give in now because of some advantage they may offer you.

Commissioner Myers has a program outlined the details of which will astound you when they become known. There has never been a time in the history of the motion picture industry when a program to benefit the independent exhibitor, to save him from veritable slavery, was worked out as is the program that is now being worked out by Mr. Myers and the other Allied leaders. A revelation of that

program is due soon. In the meantime be loyal to those that are loyal to you! Refuse to take part in any outlaw boards! Resist any attempt on the part of the producers to make you your own hangman!

FOX AND THE FUTURE

It has become quite apparent that William Fox and the Department of Justice have reached an impasse in their negotiations concerning the Loew stock acquired by the former several months ago. It is rumored that the Department has taken the position that the ownership of that stock, carrying control of Metro-Goldwyn-Mayer, is in violation of the Clayton Act. The stock was acquired at a price greatly in excess of its market value, and to disgorge it would entail a loss too great for even one so powerful as Fox to carry lightly. The announced merger of Fox and Metro-Goldwyn-Mayer properties is interpreted as a defiance of the Government and as presaging a bitter contest in the courts.

It is important that exhibitors, in buying Fox pictures, should consider the possible effect of such a contest, and the probable outcome thereof, in the quality of the Fox product. Exhibitors know from experience what may happen to the quality of the product of a company that may be suffering from financial stringency. Such a condition has a bearing, not only on the quality, but on the ability of the company to fulfill its obligations as well.

HARRISON'S REPORTS will keep you informed of probable developments along this line and will make an effort to steer you right. In the meantime, saw wood!

WILL YOU DO YOUR BIT?

It is hardly necessary for me to tell you that to put out this paper, as small as it is, it is no child's play; it is nothing but hard work, a regular grind—so regular, in fact, that I have had no vacation for years.

Often in the past it came to my attention that exhibitors not subscribers borrow your copies to get out of them information about substitutions. They are thus able to benefit to the extent of hundreds, and frequently thousands, of dollars without any cost to them.

The number of exhibitors so benefitting has so increased this year that I am prompted to make a personal appeal to you to refrain from lending copies containing such information to any person unless he be a part of your organization. Remember that HARRISON'S REPORTS is my labor, and any time you give copies containing information that saves a non-subscribing exhibitor money you deprive me of the opportunity of getting a just remuneration for my work.

If the exhibitor you aim to help is unable to pay for a subscription, I shall be only too glad to help him, if you will let me know. But let whatever helping is done be done from this office.

Will you do your bit towards this paper as this paper has been doing its bit towards you? Remember that I have kept my promise not to accept film advertising, made to you when I started this paper. My object was not to put myself under any handicaps in serving you. But don't handicap me by allowing others to profit by my labor without contributing their share!

DON'T BUY DISC "SOUND" PICTURES!

An article revealing the processes used by the producer to re-record and to "dupe" "sound" will appear in next week's HARRISON'S REPORTS. In the meantime do not contract for disc sound pictures until you read these revelations. If the talking picture business is today a wreck, this has been caused by such re-recording and "duping." So wait for this article!

"Street Girl" (100% Talking and Singing)

(RKO, Aug. 11; 8,188 ft.; 91 min.; no sil. version)

In my career as a reviewer, I have not seen an audience leave a premier showing as cheerful and as happy as was the audience that left the Globe at the premier performance of this picture. Everyone's face was bright. This was an indication of how they felt within.

"Street Girl" is the type of picture that the producers should have been making right along, instead of the gruesome type which they have been making, and with which they have driven most picture-goers away from the theatres. It is clean and wholesome, and its comedy is of the highest order. The only thing that one regrets after the picture is over is the fact that it was over too soon. The cheerful way of Jack Oakie, this versatile actor, who can dance and sing, and play the clarinet, and crack jokes, and do everything well; the dry humor of Ned Sparks, which cannot be easily equaled; the fine acting of John Harron, this sympathetic young man; the impressive acting of Mr. Joe Cawthorn, this veteran vaudeville comedian who, although an Englishman, speaks better broken German than the newest arrival from Germany, and on top of them all, the presence in the cast of Miss Betty Compton, who can play the violin as a real artist, and who can make you laugh and cry at will; the fine acting of every one in the cast, the excellent music, the beautiful sets, coupled with the masterly direction of Wesley Ruggles, have made "Street Girl" into a picture gem.

The story deals with four musicians, who are unable to rise above the one hundred dollar a week class. They bunk together, being bachelors. One of them (Johnnie Harron), while out purchasing grub, comes upon a young woman (Betty Compton); she was being pursued by a stranger. The young woman (heroine) asks his protection, which he gives her. When he finds out that she is hungry, he cheerfully invites her into their bachelor apartment. At first she is reluctant in accepting the invitation, but when she is assured by him that she will be treated like a lady she accepts. Feeling grateful for giving her a home for the night, she goes to a countryman of hers, who had a restaurant, and pleads with him to give her friends employment at three hundred dollars a week. She would not leave him until she secured their engagement. She rushes home and is out of breath when she reaches there to tell them the good news. One success leads to another until the owner of the restaurant fits a new cabaret. It is successful from the start. One of the friends (Johnnie Harron) falls in love with the heroine. He is jealous when a Prince from the European Kingdom the heroine hailed from visits the cabaret and pays attention to the heroine. But in the end the hero is assured by the Prince that his interest in her was only friendly. The Prince's assurance quiets him down and induces him to return to the cabaret, and to the heroine, with whom he had had a tiff.

The tone quality of the music and of the speech were recorded excellently, and the reproduction was of the same order except where the instrument broke down, a thing which happened in a few places. At times the music sounded as if it were given by the instruments themselves. The lines are clear at all times. This helps to put the jokes over in a fine fashion.

"Street Girl," which has been founded on the story "The Viennese Charmer," by W. Carey Wonderly, is the type of picture no exhibitor can overlook. But it will no doubt direct a great appeal to women customers, in that a woman is shown making "men" out of unknown musicians. But it should appeal to all indiscriminately, children included.

"Street Girl" should make the box office success "Broadway Melody" made.

"New Orleans" (24% TFD)—Special Cast

(Tiffany-Stahl, Aug. 1; syn. 6,765 ft.; sil. same)

The actual running time of this picture was, as checked by my watch, one hour and ten minutes. Seventeen minutes of it was talk—the last seventeen minutes. For all purposes, the story shown in the first fifty-three minutes might just as well have been omitted, because the characters do things that the spectator does not care much to see, and the action is so slow that he is bored to death. It is not pleasant, for example, for one to see a person double-cross his chum, taking away from his chum the girl he was engaged to; the breaking of a friendship because of a woman is not pleasurable in picture drama, but when such woman is unworthy, the displeasure is double. Another displeasing happening is the showing of the double-crosser stealing money with which to bet on the races with the hope of winning money enough to replace the stolen money

as well as to satisfy the whims of his wife, who all along was "carrying on" with another man. All the sympathy for the two former chums (hero and hero-villain) is awakened in the scenes where the hero is shown waiting outside the jail to receive his former pal (hero-villain), who had served several months in jail for stealing the money. The emotions of the spectator are appealed to strongly because the hero, a jockey, although he had been double-crossed by the hero-villain, had tried to save him from going to jail, by running a race and winning it against the orders of the doctor, who had pronounced him too ill to ride a horse in a race.

John Francis Natteford wrote the story, Reginald Barker directed it. William Collier, Jr., is the hero, Ricardo Cortez the hero-villain, and Alma Bennett the heroine. The voices have been recorded fairly well, but the quality of sound was poor at the Loew's New York, where this picture was shown; they have a horn installation there.

"The Flying Fool" (100% T—F&D)

(Pathe, rel. date not yet set; syn. 6,746; sil. 6,700)

An excellent comedy. Although it deals with a lady "kisser," it has been produced so cleverly that no one should take offense at it. The comedy is caused by the situations and by the fine acting of William Boyd and of Russell Gibson, as well as by the breezy subtitles. Marie Prevost, too, contributes some of the comedy. There is a touch of human appeal here and there. A few thrills are added for good measure; these are caused by the dare-devil flying. Such flying occurs mostly in the end, where the wings of the aeroplane that was supposed to be flown by the hero's brother break and the plane falls to the ground. A surprise is added when the hero's brother is found suspended from a telegraph pole, his parachute having been caught on it.

The story deals with a young man, brother of the hero, who falls in love with a chorus girl. The hero, who had fathered and mothered his young brother, in order to prevent him from falling into the hands of some scheming woman, orders him to stay at home, promising to investigate the woman. He investigates her and finds her a good girl, but fails in love with her himself. When his young brother tells the hero later on that the heroine would have married him but for another, the hero promises his brother that he would see to it that the other man is removed, and that the heroine is made to marry him. In the end, however, the young brother learns that the heroine was in love with his elder brother (hero), and also realizes that he is too young to marry. This makes the hero happy.

The story is by Elliott Clawson. It was directed by Tay Garnett. The talk (on the film) has been recorded well.

Note: It seems as if also the silent version will prove entertaining. Nevertheless, those that bought it as a silent picture are not obligated to accept it for the reason that, as stated in detail in the issue of July 13, on page 111, it is a substitution. But since good silent pictures are not very many, you should accept it, if you have room for it.

"College Love" (100% TFD)

(Univ., July 7; syn. 6,864 ft.; sil. not yet fixed)

Just fair! The story is not different from the numerous college stories that have been filmed year in and year out since the motion picture came into being, only that this time the characters talk. But even the talk adds little to a story that is hackneyed.

As in all other college stories, so in this one—the hero saves the football game in the end when the coach sends for him. In this instance, the hero had been disqualified because he, thinking that the villain, a famous football player, was more indispensable to the success of their college team than he, takes the blame when it is found that he had been late in going to bed; he had gone to a cabaret to take away the villain, who had been drinking in the company of women. The coach finds out that the hero had made such a great sacrifice when the villain, remorseful for his failure to play a good game, confesses. The hero is sent for and helps win the game. The heroine is glad to learn the truth about the hero.

The film version was shown. The recording of the voices is fairly good. But the sound, if transferred on the disc, would be too poor because there are defects in the sound track, caused by imperfect developing; these cause noises, which would naturally be transferred on the disc.

George Lewis is the hero, Dorothy Gulliver the heroine, and Eddie Phillips the villain. They do good work. The story was written by Leonard Fields, and was directed by Nat Ross.

"The Cock-Eyed World" (100% Talk—F&D)*(Fox, rel. date not yet set; 10,611 ft.; 118 min.)*

"The Cock-Eyed World" is another demonstration of the truth that an author can seldom write two masterpieces. The story of this picture was written by Messrs. Lawrence Stallings and Maxwell Anderson, but although it was written by them as a sequel to "What Price Glory," it has not had the good fortune of turning into as good a picture. It is not bad but it is not what the ballyhoo about it assumes it is. It is mainly low comedy, of the rough variety, in that the main doings are Sergeant Harry Quirt's constant attempting to take Top Sergeant Flagg's women away from him. All the comedy revolves around this thought. Top Sergeant Flagg is again shown cursing Sergeant Harry Quirt, and again he becomes angry when he is razed. To El Bendel falls the honor of razzing Mr. McLaglen this time; and he does it well.

The story starts in Russia, where the marines are stationed. They receive orders to come home. After staying in New York for a while, Sergeant Harry Quirt being shown as becoming a ballyhoo man in Coney Island, they meet in some place in Central America, Sergeant Quirt having re-enlisted.

There is considerable fighting in that part of the world, supposed to be Nicaragua, several soldiers being killed by the Latin insurgents. Lila Damita, as Marianna, is the woman around whom the efforts of both are centered—the one to take it away from the other, and the other to keep her. But in the end, Marianna (Lila Damita) marries a Spaniard, whom she loved.

Raoul Walsh directed it; he is the same director that produced "What Price Glory." Victor McLaglen does excellent work. So does Edmund Lowe. Lelia Karnelly, Bobby Burns, Jean Bary, Joe Brown and others are in the cast. The talk is pretty clear in the film version, which is the one shown at the Roxy.

Many picture-goers will be kept away from the theatre that shows this picture, not only because the comedy is of a low order, but also because of the subtitle—it does not sound pleasant to cultured ears. It is not particularly an attractive picture for women customers.

It is doubtful if the silent version will be any worse or any better than the talking version.

"Midstream" (12% Talk—23% Singing—F&D)*(Liffany-Stahl, rel. not set; syn. and sil. 7,353 ft.)*

Poor from the point of view of the picture-goer of the rank and file, and fairly entertaining to lovers of music, in that singing by three operatic players with excellent voices sing parts of the opera "Faust." The silent part, which starts from the beginning and continues for fifty-two minutes, is extremely tiresome in that an old man (hero) is shown becoming rejuvenated by a Berlin doctor in order to dare to make his secret love known to a young woman whom he loved from afar. He is supposed to be a successful Wall Street financier. In that part the hero does not awaken any sympathy, first, because he is not characterized properly, and because his act of taking the heroine away from the young man she was engaged to by deception is not sympathy arousing. The operatic singing lasts for nineteen minutes; it shows Faust, when he is unable to regain his youth, appealing to the devil to rejuvenate him, and the devil agreeing to rejuvenate him provided he signs an agreement to give his soul to him, the devil, after he had satisfied his love with Marguerite. The talk is all in the last part, and lasts only ten minutes. As to the tone quality of the music, I cannot offer any criticism in that the Western Electric instrument of the Fox Brooklyn Theatre, where I reviewed this picture, was out of order up to the point where the singing started. The talking part is fairly interesting in the beginning and deeply appealing in the remainder. There Mr. Cortez, who takes the part of the rejuvenated old man, becoming an old man again after a break-down during the performance of "Faust" at the opera, which he had attended with the heroine, does the best acting of his career.

The story is by Bernice Boon. James Flood directed it. Claire Windsor does pretty well as the heroine, and Montague Love as the doctor. Larry Kent and Helen Jerome Eddy are in the cast. The part of Faust is taken by Louis Alvarez; that of Mephistopheles by Leslie Brigham, and that of Marguerite by Genevieve Shrader.

The silent version should be no different from the "sound" version in quality.

"Girl Overboard" (28% TFD)—with Mary Philbin*(Univ., July 28; syn. 7,391 ft., sil. 7,531 ft.)*

The story has a good plot but it is long dragged out. This makes it tiresome. The dialogue is poorly recorded, too, the voices sometimes being loud and harsh and at other times almost inaudible. The story is full of pathos. Deep sympathy is aroused for the hero, who sacrifices himself and serves a prison sentence for a crime his father had committed. And although the father confessed in a letter to his son on his deathbed that he was guilty, the hero kept the secret to save his mother further unhappiness. Sympathy is aroused also for the heroine, a homeless young girl, who meets the hero and falls in love with him. Miss Philbin is a sweet heroine. Fred Mackaye is a pleasing hero. Otis Harlan, as the sea-captain, saves it from becoming too serious. He is very good. Edmund Breese is the parole officer and Francis McDonald is the villain:—

The hero is paroled in the custody of an old sea-captain. He rescues the heroine from drowning after she had jumped into the river to escape the unwelcome attentions of the villain, a gangster. The hero tries to induce the parole officer to allow them to marry, which is in violation of the parole rules. The heroine learns that he is a convict on parole and that her presence on board imperils his freedom. She leaves the ship only to return to the villain again. The heroine is arrested on the charge of the villain that she is a vagrant; the hero confesses in court that she is his wife, the captain having married them the previous night. It all ends happily when the parole officer, who had come to take the hero back to jail, relents and allows him to go free.

Miss Philbin has a voice double when she sings snatches from a song two or three times. A parrot sings, too; he is used to save the heroine from being found by the parole officer.

John Clymer wrote the story and Wesley Ruggles directed the picture.

This picture was on some contracts "Salvage" and on some, "Port of Dreams." It is being offered for "One Rainy Night."

THE INDECENT CONDUCT OF FIRST NATIONAL

On April 18, this year, Mr. Lewis V. Heppinger, owner of the Orpheum, at Clarion, Pennsylvania, signed a contract with the Pittsburgh office of First National to play "Lilac Time" on a percentage basis. The picture was booked to play on the 8th, 9th and 10th of July.

When the print arrived at Clarion on the 8th, there was a C.O.D. attachment for \$37.72 for the score.

Mr. Heppinger immediately telegraphed to First National to release the C.O.D., not only because there was no agreement for such a charge, but also because a percentage arrangement naturally implies the furnishing of the score along with the picture. He followed the telegram with a telephone call in an effort to find out from the branch manager what he intended to do about the matter.

The branch manager refused to speak to Mr. Heppinger over the telephone, the office stating each time that he was "not in," and the others refused to lift the C.O.D.

Mr. Heppinger refused to lift the C.O.D. and kept his house dark for the three days. He was so indignant that pride compelled him to keep his house dark for the three days rather than submit to such an outrageous treatment. "In my fifteen years as an exhibitor," Mr. Heppinger writes, "I have not seen anything to equal this act."

The conduct of First National in this matter is far worse than the conduct of Metro-Goldwyn-Mayer in the memorable New Haven case that concerned Hadelman. In that case, there was at least an existence of contract to justify the exchange in demanding that Hadelman pay for the pictures, even though the validity of the contract was obtained from the arbitration board by fraudulent means, whereas in this case there was an agreement on the part of First National to furnish the picture free and clear.

The conduct of First National in this matter is nothing short of crooked. It is worse than holding up a person, for in a holdup the person held up loses only what he has on his person, whereas in this instance the exhibitor, besides losing the receipts for the three days, lost a great deal of reputation, a loss which will eventually cost him a great deal of money.

This paper does not hold the Pittsburgh manager responsible for the act, for it feels that he would not have dared commit it unless he had orders; the blame rests with some executive of the Home Office.

THE VALUE OF "SILENT" VERSIONS MADE FROM "SOUND" NEGATIVES

Winfield Sheehan, production manager and vice-president of Fox Film Corporation, has issued a statement informing the motion picture industry that, because of the fact that there are about 12,000 theatres in the United States that have not yet been "wired," Fox Films is going to make a silent version for every talking picture it produces.

"This does not mean that Fox Films has," Mr. Sheehan states, "changed its policy of making a straight program of all talking pictures. Except in the case of straight musical plays, after all needed all-talking prints have been made, the negative will be turned back to the film editors who will insert titles for the silent version. . . ."

I have always been under the impression that Winfield Sheehan was a bright production man, better than the average, but this statement, if it has been issued by him, changes my views of him, for even the studio carpenter knows that the rate at which a silent picture is photographed is different from the rate of speed at which is a talking, or even a synchronized, picture is photographed and projected. The talking, or the synchronized, picture is photographed at ninety revolutions of the camera crankshaft per minute, whereas the average speed of the silent picture is sixty revolutions per minute. In other words, in the talking picture 1,440 picture frames are photographed in one minute, and the same number of picture frames must pass before the aperture of the projector in the same length of time, whereas 960 pictures (with a variation now and then) per minute are photographed in the silent version, and the same number of picture frames must be projected in the same length of time. (In actual practice, the rate of speed at which a silent picture is projected is slightly faster than the rate of speed at which it is photographed; it is about seventy-five picture frames per minute, but the speed at which the sound version is projected is always the same as that at which it is photographed.)

To run a "sound" version at the rate of speed of a silent version would, I am sure, put the patrons to sleep, for it will be in the average one-third slower than the speed at which it was photographed.

Again, to run the silent version made out of a "sound" negative at the speed at which it was photographed it will be uneconomical for the small exhibitor, whom Mr. Sheehan seems desirous of helping, for the reason that such exhibitor will be buying a, say, six-reel story photographed in nine reels, and will be paying one-third more in express charges.

Even if one should take into consideration that a silent version, which is, as said, photographed at the rate of sixty revolutions per minute, is in actual practice projected in the average at seventy-five revolutions per minute, when you take a "sound" positive and run it as silent, you get ten reels running into eight reels' time, which makes a loss of at least twenty per cent.

If Mr. Sheehan, instead of saying that he, after finishing with the sound prints, would send the negative back to the film editors to make silent prints with, had said that he would, while the "sound" version is being photographed, load an extra camera and instruct the director to photograph a "silent" negative at the regular "silent" speed, HARRISON'S REPORTS would not have taken an exception to the statement, for he would, then, have not shown such a lack of knowledge of the requirements for the making of good silent pictures. A good silent picture can not always be made out of a "sound" negative, for the reason that, when a talking version is taken, everything is keyed-up to talking picture conditions. A situation that arouses great interest because of the fine speech of one of the characters may fall flat as a "silent," because of the fact that the inflexion of the voice may be the chief factor in making the "sound" situation interesting. The range of action is limited in the "sound" version because the chief concern is to give the actor a chance to talk. Such a condition is not conducive to making good silent pictures out of "sound" negatives."

It is evident that the producers have failed to realize yet that the "talking" picture making is entirely different from silent picture making; that they are different arts. Until they do, the majority of talking pictures are going to be bad, and the majority of the silent versions made out of sound versions are going to be "atrocious."

My suggestion to you is to go slow in buying product for the 1929-1930 season. The industry is too upset yet to enable you, no matter how good a judge of picture values, and no matter how excellent a "mind reader," you may be,

to tell how good the pictures will turn out to be even though the producers, in making them, spend more money than they spent before, and may exert greater efforts than they have ever exerted. When you see a production man like Winfield Sheehan making such a statement, it is time you thought more soberly about buying pictures for your 1929-1930 needs.

In the same statement, Mr. Sheehan says:

"Approximately 3,600 theatres, from which the producers receive about 75 per cent of their revenue, are wired. From three to four years will be required to complete the task of wiring the remaining 12,000 or more theatres. More time may be needed to wire the estimated 25,000 motion picture theatres in foreign countries. When all theatres have been wired, Fox Films will cease to make silent versions. . . ."

Will someone please inform Mr. Sheehan that Fox films will be of no value to the 25,000 theatres in foreign countries (except to such of them as happen to be in an English-speaking country), because people there will not understand what the actors are saying? Just imagine the pleasure a Chinaman of Hong Kong will get out of, say, "Through Different Eyes," if he should be unfortunate enough to pay his money for an admission into a theatre that would show it!

I want to call your attention to the part of his statement that reads: "Approximately 3,000 theatres, from which the producers receive about 75 per cent of their revenue, are wired." This statement means just this: "Three thousand wired houses give us back the cost of our negatives and a profit. For this reason, we are not concerned with the fate of you, the small exhibitor, the 'eighty-per-center,' who, during the reign of the silent picture, gave us our profit." This is the kind of talk that was passed around in this territory by some film executives. And this is the reason why some producer-distributors were so reluctant in giving you readjustments, and in reducing the score charges. The menace to your livelihood is of no concern to them, because, they say, they can get along without you. And it seems as if Fox is one of them, if one is to read between the lines of this statement.

Imprint this in your mind and act accordingly.

HOW THE IRISH FEEL ABOUT "SMILING IRISH EYES"

Mr. Thomas J. Ford, publisher of *The Irish World*, a weekly Irish newspaper with a circulation reaching half a million, wrote a letter to Mr. Herman Starr, President of the First National, in which he makes a dignified protest against the reflection to the Irish race caused by the First National picture, "Smiling Irish Eyes."

"It is not a nice thing, nor is it true to Irish life, to witness an Irish girl fondling a pig," says part of the letter. "The insistence of the pig, the numerous close-ups in which it appears, and the fact that it is carried all the way through the first half of the film, appears to us absolutely unnecessary. It has nothing to do with the story; nothing to do with the plot. Evidently it is included in the belief that an Irish picture without a pig would be like a Hamlet without a Pirnce."

"The effort to associate the Irish people with pigs has been overdone in the past and been the cause of many complaints. . . ."

"The filthy conditions shown as typical of Irish homes in this film evidently came from the same type of intellectual genius which insisted upon the pig. Even in the poorest homes in the Irish country-side, cleanliness is considered akin to Godliness. . . ."

"As an alleged Irish picture, 'Smiling Irish Eyes' is a travesty upon Irish life and character. It is a typical example of the thoughts current in the minds of those who have no first-hand knowledge of Ireland and the Irish people. There is nothing in the picture that suggests the Gael; nothing of the finer and higher side of Irish character. . . ."

* * *

Just why the producers of motion pictures should insist upon presenting the Irish race as having come from such a lowly environment is beyond comprehension. It is not true to life and estranges millions of ardent friends of motion pictures. The fact that those who have been directly connected with the production of this picture are of Irish descent does not give them the privilege of slighting their own race.

Producers should do well to avoid causing another volcanic explosion like that of "The Callahans and the Murphys."

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MOVING PICTURE HISTORY IN THE MAKING!

Last week, Allied States Association of Motion Picture Exhibitors, of which organization Mr. Abram F. Myers is, as every one of you no doubt knows by this time, President and General Counsel, closed an agreement with RKO whereby the latter is to supply pictures to independent exhibitors on a five-year franchise. A minimum of twenty-six pictures, and a maximum of fifty-two, are to be delivered each year to the franchise holders. The franchise contains also an option giving the franchise holder the right to buy as many of the additional pictures RKO might produce as he wants. Provision also for short subjects has been made.

The exhibition value of each picture is to be determined by a central committee, consisting of five exhibitors and of five producer-distributor representatives.

If at any time there should be a disagreement as to the proper exhibition value, such disagreement is to be settled by setting the exhibition value at three times the cost of the negative.

The average exhibition value of all the pictures delivered during the year is not to exceed the sum of \$750,000 for each picture.

The price each franchise holder will be required to pay will be founded on points, the number of points representing the number of dollars per each hundred thousand dollars of exhibition value. If, for example, the number of points for a particular exhibitor is, say, five, then the franchise holder will be required to pay five dollars for each one hundred thousand dollars of exhibition value.

The points in each franchise will be determined by the central committee at the time the franchise is sold, so that the exhibitor may know what he will be required to pay before he affixes his signature on the franchise. The committee will fix the ratings on broad lines, taking into consideration what each exhibitor can afford to pay.

After the first picture season, either party to the franchise agreement may apply for a readjustment of the points to the central committee. This committee will be clothed with wide discretionary powers, and will in each case submit its findings to the National Board of Appeals, making its recommendations to it.

The National Board of Appeals will consist of Mr. Abram F. Myers, former Chairman of the Federal Trade Commission, of a representative of RKO, and of a third person, to be selected by the aforementioned two.

The decisions of the board are to be final as to prices.

The franchise covers silent as well as talking pictures, and provides that in the event a franchise holder, after signing for silent pictures, equipped his theatre with a talking picture instrument, the terms and conditions of the franchise relating to sound pictures shall automatically apply.

There will be no score charge, not even for the original cost of the records, whenever discs are used.

* * *

These are the most important features of the franchise agreement that was closed by the Allied leaders with one of the most important producer-distributors in the business.

What a vision Mr. Myers has shown! With a stroke of the pen he has emancipated the independent exhibitors, for with such a franchise they will no longer be creatures of chance, depending on the generosity of the producer-distributors to keep their theatres open; on the crumbs from their tables; they will be respected members of the industry, associated with a company that values their play-dates and recognizes in them human rights.

There is no arbitration clause in the franchise. This means that the franchise holders will not, so far as their

dealings with RKO are concerned, be dragged before an arbitration board, which is the product of a system that has been installed by no consent of theirs, and the decisions of which in nine cases out of ten are made before an exhibitor enters the chamber.

Just think of it! No compulsory arbitration, and no score charge! Pinch yourself to make sure that it is not a dream!

How was it done?

Following the July 2 meeting of Allied States in Washington, which meeting the Hays forces tried to disrupt, a committee consisting of President Myers, W. A. Steffes, President of the Theatre Owners Association of the Northwest, Colonel H. A. Cole, President of the Theatre Owners Association of Texas, and H. M. Richey, Secretary of the Theatre Owners Association of Michigan, opened negotiations with RKO with a view to arriving at some agreement whereby the exhibitors, in consideration for mobilizing their play dates, would obtain RKO film at prices that would make it possible for them to remain in business. These negotiations were brought to a happy conclusion on August 7, the date on which the franchise agreement was adopted by both sides.

And this is only the beginning! What Mr. Myers and the other Allied leaders have in mind for the betterment of the condition of the independent exhibitor will become known in due time. Right now they are negotiating with RCA for a talking picture instrument, for both film and disc, to sell at a price that will be within the reach of every independent exhibitor in the country. They are carrying negotiations also with other companies, with a view to bringing additional relief. The outcome of such negotiations will become known very soon.

I have followed the negotiations of the Allied leaders with the various companies very closely, because I felt that it was my duty to place myself in a position to advise you correctly on such important moves. All I can say at this time is that the closing of the first agreement for your relief is the dawn of a happier day for the independent exhibitor.

P. S. HARRISON.

SOUND DUPING ARTICLE POSTPONED

The article about re-recording and "duping" sound, which I promised in last week's issue that I would print in this week's issue, has been postponed for another week to give me a chance to collect additional material.

TIFFANY-STAHl CO-OPERATES WITH HARRISON'S REPORTS

Tiffany-Stahl has assured this office that it will furnish any information concerning the release schedule of its pictures that HARRISON'S REPORTS may want for the Blue Section.

BIGGER AND BETTER LOSING WEEKS

I have read in a trade paper the following:

"Starting today, the entire circuit of Fox Theatres will be put on an intensive drive to increase business . . .

"Fox Metropolitan Playhouses will use as their bait a new idea . . ."

The slogan of the producers with the beginning of every season was, "Bigger and Better Pictures." The slogan for Fox's Metropolitan houses now should be, "Bigger and Better Losing Weeks," for Fox's Metropolitan Theatres HAVE had SOME losing weeks!

"The Last of Mrs. Cheyney" (100% T-F&D) —with Norma Shearer

(M-G-M, July 13; syn. 8,651 ft.; sil. 6,484)

To this day, "The Last of Mrs. Cheyney" is the most brilliant talking picture that has been filmed. The dialogue is a feast to the mind. Norma Shearer poses as a wealthy widow from Australia, and mixes with British nobility in London. She does credit to her part. Her acting is superb, and her voice fits with the acting. Basil Rathbone, too, is an outstanding figure; as Lord Arthur Dilling, he cannot be surpassed.

The story is that of a heroine, confederate of crooks, who, by posing as a wealthy widow from Australia, becomes acquainted with society people. She is invited to be a guest in the home of one of them and lays plans to steal the valuable pearl necklace of her host. Lord Dilling (hero), a lady's man, becomes so captivated by her beauty that he even offers marriage to her. But what a shock he receives when he accidentally discovers her entering the room of their hostess and stealing the necklace! He follows her to her room and there he makes his presence known to her. He proceeds to reveal his feeling to her, intimating that he had been fooled into believing that she was a good woman. The heroine tries to persuade him to leave the room, assuring him that she had done everything in life but had never allowed a man into her room. The hero will not believe her and she threatens to ring the bell, even though such an act would have meant jail for her perhaps for five years. The hero does not believe that she would carry out her threat and insists on remaining. Thereupon the heroine rings the bell and arouses her hostess and the other guests. Stunned by her bravery, the hero tries to conceal the fact that she had stolen the necklace. But she exposes the matter herself. A letter written to her by an elderly Lord, who had proposed marriage to her, however, saves the situation; in that letter the Lord had disclosed a "skeleton in the closet" of every one of the guests. They offer to buy the letter and to refrain from prosecuting her. The heroine demands £10,000. After receiving the check, she tears it. She shows to them the letter already torn to pieces, thus indicating that she had never had the intention of using it against them. Her act so ingratiates her with her host and with the guests, that all congratulate her and assure her that they will be her friends for life. The heroine and the Lord-hero marry.

The lines have been recorded well and are intelligible in the reproduction. George Barrard, Herbert Bunston, Hedda Hopper, Moon Carroll, Madeline Scymour, Cyril Chadwick, George K. Arthur and others are in the cast. The plot has been founded on the play by Frederick Lonsdale. Sidney Franklin directed it.

It is a picture for cultured picture-goers. The rank and file will hardly appreciate it. (Time, 97 min.)

"Say It with Songs" (100% T-D)— with Al Jolson

(Warner Bros., Aug. 24; syn. 8,324 ft.; sil. not yet fixed)

The magnetic personality of Al Jolson, coupled with the fact that the story gives an opportunity to women to shed buckets of tears, should make "Say It with Songs" a box office success, even though it will hardly be the success that "The Singing Fool" was. It is probable that it will not be more than fifty per cent successful. It would, however, be much better for the business if Warner Bros. should refrain from giving Mr. Jolson such stories; aside from the fact that the construction of this story is mechanical, it is doubtful if any one wants to see Al Jolson in a prison garb. The prisoners' step, the clanging of the cell doors, the austere look of the guards, and other features of prison life are hardly of the sort that would send the spectator home in a happy frame of mind; not particularly when such life concerns an idol of theirs, such as Mr. Jolson has become to them.

The story starts with an accidental murder: The villain makes insulting proposals to the heroine, promising to push her husband (hero), a radio entertainer, to success. The heroine, not being "that kind of a girl," tells the hero about it when she hears him praising his friendship. The hero, incensed, goes to meet the villain. They have a fight. The hero hits him hard. The villain falls, strikes his head against the sharp corner of a cement pillar, and is made unconscious. The hero goes about his work ignorant of the fact that the villain had died as a result of the blow. He is arrested, tried, convicted for manslaughter, and sentenced to five years in the penitentiary. The heroine is loyal to him. The hero, however, out of great love for her, makes her believe that he suspects

her of infidelity. The heroine is heartbroken. A good doctor is in love with the heroine and urges her to apply for a divorce so that he might marry her and give her little boy a good home. The child is in a military school. The hero exits from jail and goes to the school to see his son. After leaving the boy follows him. A truck runs over him and nearly kills him. The hero takes the child to the hospital and is told that only an operation by a famous surgeon could save the little fellow from remaining a cripple the rest of his life. He takes him to a famous surgeon; he happens to be the man who was in love with his wife. When the doctor tells him that he must give up his wife in return for the operation, the hero revolts and takes his son and goes away. But he soon comes back and leaves the boy with him.

The story ends with the reunion of hero and heroine, the hero making a great fame as a radio entertainer. The love one felt for the other is shown as having brought this about.

Mr. Jolson is again inimitable. And so is little David Lee. His acting brought laughter after laughter at the Warner Theatre. Marion Nixon does excellent work as the heroine. Mr. Jolson sings several songs; these are good. The lines have been recorded well and they are clear in the reproduction, even though one can easily distinguish the "throatiness" of the horns used by the Western Electric apparatus.

"The Exalted Flapper" (SD)—with Sue Carol and Bary Norton

(Fox, June 9; 5,806 ft.)

Not a bad program picture. The youthfulness of the two principal players and the speed of the action with which the story unfolds keep one pretty well interested.

It is about a young princess, of a fictitious European kingdom, whom her mother had engaged to the young prince of a neighboring kingdom against her will. On the day she was to meet this young prince, she meets a young man out in the woods and becomes fascinated with him. Instead of telling him who she is she poses as a commoner. This young man is none other than the prince himself. But he, too, poses as a commoner. When the young prince was led by the prime minister of his country to the palace to meet the princess, he slips away to keep an engagement with the young girl he had met. When the princess is found missing the queen sends guards to arrest the young man that dared make love to the princess. They arrest him and hand him over to some rough sailors to shanghai him. The heroine rushes to his rescue and with the help of a press-agent of her mother's she is able to liberate him. They give the roughnecks a good beating. In the end, the identity of the one becomes known to the other and they are happy.

Will Irwin wrote the story; James Tinling directed it. Irene Rich is the queen, Albert Conti the king.

It is silent, fitted with music and sound effects.

"Madonna of Avenue A" (60% T-D)— Dolores Costello

(Warner Bros., June 22; syn. 6,461 ft.; sil. 5,294)

It is unlikely that "Madonna of Avenue A" will be liked much for the reason that the plot is threadbare and the action is not particularly pleasurable. The heroine's mother is shown as conducting a speakeasy in one of the lowest quarters of New York City, her one ambition in life being to keep her daughter in comfort and to help her mix with better people. Though her ambition is admirable, the means she adopts to bring this about are not the kind that the average picture-goer would approve. The sight of a young bootlegger falling in love with her and wanting to marry her, the heroine falling in love with him and eventually marrying him, is not pleasurable. The "bum" is not shown as possessing any character. Such a characterless person is hardly to be considered a hero. Nor is the mother's framing the would-be-hero and sending him to jail because of the gun found on his person pleasurable; nor the mother's committing suicide to expiate the wrong she had done to her daughter's husband.

The story has been directed by Michael Curtiz. Grant Withers takes the part of the villainous hero. Louise Dresser is given the part of the unhappy mother. Douglass Gerard, Otto Hoffman, and Lee Moran are in the cast. The sound recording is fair. The picture is a mixture of talk and silent. It opens with a talk, lasting 27 minutes, but has a few one or two-minute silences in between. Then there is a five-minute silence; then a fifteen-minute talk, and then a 23-minute silence. The total time is 70 minutes, out of which 42 is talk.

"Half Marriage" (100% T-F&D)

(RKO, Oct. 13; syn. 6,481 ft.; sil. not yet determ.)

This is the second 1929-30 RKO picture; it is another prestige-maker for this company, for it has everything that is needed to make a picture a good entertainment and a successful box office attraction. To begin with, the principal players are youthful, the kind the average picture-goer prefers to see on the screen. Following this good feature, there is good acting, excellent music, a well weaved plot, and story material that, although not new in the strict sense of the word, has been handled in a way that it is made to appear new. The spectator becomes interested from the start and is kept so until the end. In the closing scenes, some thrills are offered; the heroine is shown walking on the ledge of a building, high over the ground, being pursued by a young man. She is pleading with him to leave her alone, but the young man, having misunderstood her actions, follows her. The heroine strikes him with his cane. He loses his grip and falls, getting killed. The scenes that follow show police officers and detectives interrogating the heroine and the hero. These scenes, too, are suspenseful. There is considerable comedy all the way through, most of it being contributed by Ken Murray, a well-known vaudeville actor.

The plot revolves around the love affair of a young girl (heroine), daughter of wealthy parents, and of a young man (hero), working for her father as an architect. The hero does not earn enough money to support a wife, and therefore is unwilling to listen to the heroine, who pleaded that they should marry at once. But the heroine eventually wins; they marry with the understanding that they are to keep their marriage a secret for a while. Their secret talks lead a young man (villain), whom the heroine's parents favored as a son-in-law, to believe that their relations are improper. This villain is told by a friend of his, who had overheard them talking, that they were to meet at the heroine's studio at 9 o'clock that night. Deciding to find out for himself whether the heroine was as good a girl as he had thought she was or not, he goes to the studio. But before going there he sends to the hero a telegram and signs the heroine's name to it, telling him that she would not be at the studio that night. His purpose was to have the heroine alone. He goes there intoxicated and with keys he had secured by bribing the elevator boy he is able to enter the studio. When the heroine sees him she pleads with him to leave. But he will not leave. Grabbing his cane she threatens to strike him. He follows her, making insulting proposals. She walks through the window and attempts to retreat on the ledge. Although she threatened to strike him with the cane, he presses on. He loses his balance and falls to the pavement below, getting killed. Detectives and policemen, upon learning from close questioning that the dead man had attempted to assault the heroine, exonerate her. When they ask the hero, who had taken the blame for the murder, although he was not there when it occurred, why he had shown so much interest in the heroine, the heroine replies, "Because he is my husband." The heroine's father pretends that he is incensed, but really he was glad that his daughter had married so promising a young man.

The plot has been founded on the story by George Kibbe Turner. There are no offensive situations in it. The picture was directed by William Cowan. Olive Borden does the best work she has done in her screen career. Morgan Farley, the celebrated stage actor, takes the part of the hero. Ann Greenway and Sally Blane are in the cast. The sound has been recorded very well and therefore the talk is very clear. (Film version shown. Time, by my watch, 67 minutes.)

**"Hungarian Rhapsody" (S)—
with German Cast**

(Per.-Ufa, Aug. 3; 6,165; syn. 68 min.; sil. 71 to 89 min.)

The first part is pretty interesting, and the military atmosphere lends to it a certain impressiveness. But the last part is not so interesting; not, at least, so pleasurable. The heroine is shown compromising herself in order to save the hero from being caught in the home of his superior officer making love to his wife.

The story unfolds in Hungary and deals with a young cavalry officer (hero) in love with a pretty girl (heroine), daughter of the farm supervisor of the hero's superior officer. Her father is too proud to allow her to marry the penniless hero. The heroine suggests to him to quit the army and to obtain a position somewhere so that he might earn enough money to enable them to marry. The

hero is unwilling to quit the army, which he loves. The heroine is peeved and they have a scene. The hero is becharmed by his superior officer's wife and agrees to meet her at her home while her husband is away. A jealous violinist, whom the commandant's wife had encouraged, telephones to the officer commandant, informing him of the affair. The commandant rushes home. The heroine sees him approaching the house, and, as she had seen the hero enter she rushes there. When the irate officer enters his home, he finds the heroine reading a book. He opens the door of her bedroom and finds the hero there, well enough, but in the company of the heroine. His faith in his wife is re-established but the heroine's father is irate. The hero, however, calms him down when he tells him that he will marry his daughter, quitting the army and seeking employment.

Lil Dagover is the heroine, Willi Fritsch the hero. Hanns Schwartz directed it under the supervision of Erich Pommer. Hans Szekely wrote the story.

"The Greene Murder Case" (100% T-F&D)

(Param., Aug. 31; Syn. 6,383 ft.; sil. not determ.)

This is one of the series of murder mystery melodramas Paramount has had the good thought of producing; they have all proved popular. "The Greene Murder Case" is no exception, if one is to judge from the crowds that have been lining up in front of the Paramount since Friday last week, the day on which it started its showing. Even though it is a good entertainment, it is not exactly as good as the other mystery stories; perhaps fifteen or twenty per cent less suspenseful, this deterioration being brought about by the fact that in the first half there is much talk and little action. However, those that will see and hear it will get their money's worth out of it, because there is pretty tense suspense in the second half, and several good thrills. These are caused by the fact that the detective (hero) had, after following his clues, which led him to the murderer, realized that the girl-villainess was about to take the life of an innocent person, a young woman, by pushing her over the roof of a cistern full of water below. The scenes that show the two women on the roof struggling, the victim hanging from a rope which she had grabbed after being pushed over by the villainess, the rope being shown as liable to break any time, should hold the spectators breathless.

The plot has been founded on the novel by S. S. Van Dine. The substance of the story is the efforts of a famous criminologist to detect the person that had committed several murders, leaving no clues. The hero is eventually able, by logical deductions, to detect the murderer.

William Powell again makes an excellent criminologist. Florence Eldridge, Ulrich Haupt, Jean Arthur, Eugene Pallette, and others are in the cast. The recording is good with the exception of some spots, where it is difficult to understand the players. (Time, 71 minutes.)

**"My Lady's Past" (35% T-F&D)—
with Belle Bennett**

(Tiffany-Stahl, Aug. 15; syn. 7,948; sil. not set)

It is not very entertaining. If anything, it is slow to the point of being tiresome up to a reel or so before the end is reached. And not only is the action slow, but it is also displeasing. For instance, the hero is shown as having been engaged to the heroine for ten years and yet he gives her up and tries to marry another girl.

The story presents Belle Bennett, as the heroine, and Joe Brown, a writer, as the hero, in love with each other. But the hero becomes fascinated with a young girl that did typing for him. Soon he forgets the heroine. A young man happens to commit suicide in front of the heroine's house and the neighbors' gossip has it that he had committed suicide for the heroine. The heroine, having been the subject of unjustified gossip before, is not reluctant in making it appear as if the young man had taken his life for her. She gives parties to men in her house. One of the men proposes. Although she loves the hero, she accepts. The hero hears of it and calls on her. He takes her away from the elderly man just as they were to be married. The hero realized that he could not be happy without her, and she without him. They run away and marry.

The story is by Frances Hyland. Evidently it has been purified before it was put into pictures. Albert Ray directed it. Alma Bennett and Joe Standing are in the cast. The picture consists of short talks and silent patches. The aggregate talk is 30 minutes out of 86, as timed by my watch.

THE SHREWDEST POLITICIAN IN THE INDUSTRY

It has been reported from the West that William Fox has set out to secure options for two thousand theatres. It is manifest that there is a race between Zukor and Fox for the acquisition of the largest number of theatres in the United States and Fox wants to be the one that will obtain the most.

But while Mr. Zukor goes about it to obtain theatres in the regular way, William Fox employs ingenuity that only his namesake in another species of life employs.

To give you an idea what ingenuity lies back of Fox's movement I may recount what happened here.

It was last September when William Fox decided to buy a number of independent theatres in New York City. He organized two corporations for such a purpose, Fox Interstate Theatres, Inc., and Fox Metropolitan Theatres, Inc. He set up offices in the Ambassador Hotel, furnished most lavishly, his idea, no doubt, being to impress the exhibitors deeply.

A. C. Blumenthal, his real estate impressario, was placed in charge to negotiate the deals. He secured options for more than one hundred theatres.

The options were made to expire in December. They provided that all contracts between the theatres and producer-distributors had to be attached to the option, that if any of these exhibitors had to have more product between the date the option was given and the date it was to expire, they had to ask the permission of Fox, and that if talking picture instruments were to be installed these had to be of Western Electric manufacture.

During the life of the options, these exhibitors refrained from buying any product, for the reason that every one of them felt sure that Fox would take their properties over by December.

But it was different with the Fox product; in order to ingratiate themselves with Fox, they bought Fox product, paying for it prices that they had never paid to any one.

Thus Fox, without a dollar outlay, was able, (1) to prevent other producer-distributors from selling film to these theatres, (2) to sell his own product at the highest prices obtainable by anybody, and (3) to prevent RCA from selling their instrument to any of these theatres, by such an act furthering the interests of Western Electric, whose licensee Fox is.

When December came, the exhibitors that gave Fox an option were told that the taking of the properties over had to be postponed until January.

January came and there was another postponement. In the meantime, Warner Bros. started negotiating for the acquisition of Loew stock for the control of Loew's Enterprises and of Metro-Goldwyn-Mayer.

Fox learned of these negotiations and started counter-negotiations.

During the battle between Warner Bros. and Fox, there had been postponement after postponement with a consequent renewal of the options.

Many of these exhibitors were driven desperate. Some of them threatened to go to the courts. But Sol Rogers, one of Fox's vice-presidents, told them that the only thing they could attach, in case they won in the courts and obtained judgments, was the stock certificates and the seal of the corporation. There was not a dollar in the treasury to pay for any judgments.

The closing of these deals did not take place until May and June.

But what a closing! When Fox first offered to buy these theatres, the exhibitors were given terms that made them joyful. The understanding was that four and one-half times the average profit of the three years previously to the obtaining of the option would be paid them. But in January the "chiseling" began, and was heightened during the negotiations for the acquisition of the control of M-G-M.

During this time, most of these exhibitors reached the point of bankruptcy. The certainty they felt in the beginning made them neglect to make any improvements, with the result that their business reached the lowest point in years. The fact that they were prevented in a way from contracting for other producer-distributors' product made matters still worse.

When the announcement was made that Fox acquired enough M-G-M stock to control M-G-M and Loew's, these exhibitors did not know whether Fox was going to go through with the deal or not.

He did go through with the deal, of course; but instead of paying four and one-half times the average profits the exhibitors made in the three years preceding the date of the option, he paid an average less than one-half that number of times. And the average was cut

down. I understand, in fact, that three times was the highest he paid for the best properties. He cut down some of the deals to the bone. He also rejected some of the theatres.

Hitherto the impression prevailed that the seat of ingenious politics was at 469 Fifth Avenue. But this manipulation transferred such a seat to Tenth Avenue; Fox showed that he is able to play with the other producers and distributors just like an expert pianist manipulates the keys of a piano.

Adolph Zukor was the only person that Fox did not fool. Mr. Zukor sensed Fox's game and set out to acquire theatres, despite the "cease and desist" order of the Government, which enjoined him from "setting up a monopoly" through the acquisition of the theatres. He braved the Government's wrath rather than see a large number of theatres pass into the hands of William Fox. (But whether that will in the end prove a justification, only the future can tell.)

Another person that Fox has not been able to fool, as it seems, is Mr. David Sarnoff, President of RCA Telephone, Inc., and Chairman of the Board of Directors of RKO. In the short time that Mr. Sarnoff has been in the motion picture industry, he seems to have been able to learn the sort of persons that are in control of it.

It is true that, while he was in Europe, working for the settlement of the European reparations problem, he did not keep in touch with the industry, but he showed an ingenious grasp of its problems when in the short time he was back from Europe he recognized the advantages that are to be gained by a tie-up with the independent exhibitors. He is the first man to effect such a tie-up. Others, men who spent their lifetime in the industry, tried it but failed. But Mr. Sarnoff is destined to succeed, first, because he and his entire organization are inspired by the greatest feeling of good will towards the small exhibitors, and secondly because he has unlimited finances at his command and therefore able to come to the aid of the exhibitors, if necessity arose.

From now on William Fox and the entire industry must reckon with Mr. Sarnoff; they will soon know that when they deal with him they are dealing with a statesman, whose ability has been recognized by Europe.

To those that are looking forward to selling their theatres to Fox, HARRISON'S REPORTS will say this: If you should give William Fox an option, make him put down genuine cash, the full price you expect to get, the money to be put in escrow, to be returned to Fox only if the certified public accountants do not find your statement correct. Do not let him fool you in the same way that he fooled the exhibitors in this part of the country. There is no necessity for you to sacrifice anything in order to make a sale to Fox or to anybody, for that matter; the closing of the deal between the Allied leaders and RKO creates new conditions, from which you are destined to profit. It may even be possible for you to obtain financial assistance without sacrificing the control of your theatre. Have a little patience. Or, better yet, join the Allied movement.

This piece of advice is directed also to exhibitors of Great Britain, for I understand that A. C. Blumenthal is now in England, looking forward to obtaining options for theatres.

THE COLORED GENTLEMAN IN THE WOODPILE

When the producers announced that they were going to make adjustments to such "sound" exhibitors as were over-sold during the 1928-29 season, I felt that some of them gave in too easily for me to believe that they were good-hearted. My doubts as to the sincerity of these is now borne out by the facts.

An exhibitor from upstate informs me that the Fox branch manager told him just as soon as they get together on the 1929-30 product, he will get a reduction.

There is no question that the reduction gag is being used by some exchanges as a club.

The so-called producer-exhibitor meeting in New York was, to the best of my information, a fizzle. You can judge for yourself by the fact that the exhibitor committee was not given any recognition whatever. The statement was issued by a representative of the producers. The exhibitors were not given credit for anything. This proves for the thousandth time that you don't get anywhere when you stand hat in hand before the producers. It is better when you stand with head erect. And you can stand before them with head erect only when you are a member of the Allied States Association.

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Sound "Duping"—What It Is and How It Affects You!

Several exhibitors have complained to this office that the tone quality of some of the disc-sound talking pictures they have played was so poor that their patrons walked out of the theatre, forcing them to refund their money, and to pull off the pictures.

The complaints concern almost exclusively Paramount Famous Lasky, Metro-Goldwyn-Mayer and Fox Pictures, mostly Paramount and Fox.

Since all these companies record the sound of their talking pictures on film, they make their sound-on-disc by re-recording of the original sound, or "duping," as it is commonly called.

For the purpose of clarity, it is necessary for us to define an "original sound print" of a sound record.

A film positive print is made directly from the original film sound negative taken in the studio.

A disc positive print is pressed from a matrix made originally in the studio.

These are the only true "original positive prints." There is no re-recording of any sort involved.

Often the producers find it necessary to introduce into an original sound record (film or disc), sound effects, music, sound fade-ins or fade-outs, or lap dissolves or other special effects. In such a case, re-recording is resorted to.

If the re-recording is to be done from a film sound negative, the negative is run through a regular or a modified projector and the sound is re-recorded on a disc by a recording apparatus. (Sometimes it is re-recorded on a film. But this is done more rarely.)

If the re-recording is done on a disc, a disc matrix is made, from which positives are pressed.

There are times when a producer desires to add music and sound effects to the original sound. The sound effects may be taken from an original or duped film, or from an original or duped disc, and the music may be either from an orchestra, or from an original or duped film, or disc. Some producers add original sound effects during the re-recording. This entire process is called "mixing."

In the first days of talking pictures, when they were in great demand and the producers were unable to supply it, dialogue was superimposed on the scenes. But in every instance the superimposing was done poorly, because it is impossible to photograph the action first and insert the talk afterwards. It is impossible to superimpose even singing, even though in many instances the synchronization is perfect; there is something that tells the spectator that the singing was not done by the character, not at least at the time the picture was taken.

It is necessary to emphasize that duping is not, for certain purposes and under certain conditions, improper, nor does it necessarily lower the quality of the positive prints or discs that are made from a duped film negative or a disc matrix. Duping has a legitimate place in the sound film industry. But such a place must be clearly understood and frankly stated. A duped positive film or a duped disc may be practically as good as the original, provided it is made on an extremely high grade recording apparatus, from a high quality negative, and the equipment is handled in a technically correct way by highly skilled persons. Any sound effects or music introduced in the "mixing" must be done with the greatest care and caution. Otherwise the clearness of the original recording is spoiled.

Even if all these conditions were to be complied with, the duped negative or the disc matrix may turn out to be poor, unless it is carefully developed or processed. It is also necessary that, in the case of sound-on-film, the sound track be free from "spots," these being the result of either inferior raw stock or of poor developing. And a

variable density sound track is seldom free of such spots.

It is apparent that, before a duped positive can be as good, or nearly as good, as the original, many conditions must be observed. Unfortunately, these conditions are by no means always observed, with the result that the duped positive has been so bad that it has driven picture-goers out of the theatres, giving the talking pictures a bad name. Consequently, the duped positive has fallen into disrepute.

In many instances, duping is resorted to in order to save production cost. The resultant saving, however, has not been reflected in the price of the duped positive. Warner Bros., for example, are now duping; in many instances they first record on film and then re-record the sound on a disc. It seems as if "Madonna of Avenue A" has been so recorded. But we have not heard of its customers getting any rebate because of such saving.

It is an unfortunate circumstance that the exhibitor is in no position to tell when a "duped" disc or film positive is as good, or nearly as good, as the original, and he shows the picture with the kind of sound that is furnished him by the distributor. This results in a great detriment, not only of his own business, but also of the entire film business.

Sound positives or discs furnished to the exhibitor should be definitely labeled as "Original," "Re-recorded Without Additions," "Re-recorded With Sound Effects Added," or "Re-recorded With Music Added." Such a mode of labeling would enable the exhibitor to know what he is getting. Or, better yet, the kind of sound the exhibitor expects to get should be stated in the contract in the form of an added provision. If re-recording or "duping" is to be resorted to for reason of economy, the exhibitor should be the beneficiary of part of the savings.

It is extremely doubtful, however, if the majority of the producers will ever be depended upon so to mark their disc records. When they are scraping the old labels off the discs and pasting on new ones in an effort to lead the exhibitors to believe that such records are new, although they know that the future of talking pictures depends on clear sound and good tone quality, one can have no faith in their sincerity. Under such circumstances, you have only one way out—scrap the disc.

When HARRISON'S REPORTS advocated the making of sound-on-disc versions so as to help such of the smaller exhibitors as could not afford to install a sound-on-film instrument, but could a sound-on-disc, it never believed that the producers would resort to such practices. But it was wrong. And that is why it is necessary for you to sign the death warrant of the disc at once. Besides, the reasons that induced this paper to advocate the retention of the disc for at least two years no longer exist, since Mr. Myers has now succeeded in inducing the executives of the RCA Photophone, Inc., to put out a low-price instrument that will take both sound-on-film and sound-on-disc. I believe that it will, in fact, be better for you, in negotiating with this concern for an instrument, to buy only the sound-on-film device so that you may never be tempted to run sound-on-disc pictures. The tone quality of the sound given out by the wax will never approach the tone quality of the sound given out by the film, as explained in these columns before; and as the future of the talking picture depends on good tone quality, it is necessary to scrap the disc now.

Fears have been expressed that a film sound print would not last half as long as a silent print and therefore a great expense would be put on the smaller exhibitor, who would be compelled to carry the heavy burden that would come from the frequent replacement of prints. But this

(Continued on last page)

"Side Street" (100% T-F&D)

(Radio Pictures LRKO1, Sept. 8; syn. 6,965; sil. not set)

Another Radio Picture gem. It is a high-class crook play, in which Owen Moore is given the part of a bootlegger chieftain, and a power in the underworld. There is suspense all the way through. There is also a liberal quantity of human interest. The human interest is aroused by the love the three brothers show for their mother and for their father, and the happy life the entire family leads. In the story it is not known that Owen Moore, who is a brother of the other two actors as characters and in real life, is a high class bootlegger until more than half of the picture is shown. The scenes in the cabaret-apartment, where the doctor-brother meets his bootlegger-brother, are suspenseful; a murder had been committed in the bootlegger-brother's cabaret-apartment and the doctor-brother had been sent by the police department to attend to the wounded man and to report the details of the fray. The scenes at the home of their parents on Thanksgiving day, too, are suspenseful; the bootlegger-brother had instructed his men to murder the plain clothes man because he had learned too much about them, not knowing that the detective was his own brother. During the time the bootlegger brother attempts to communicate with his men not to commit the murder are the most suspenseful of them all. In the development of the plot, the bootlegger-brother is shown as having been the victim of his own plot; his plans to save his brother from death having gone wrong, the bootlegger-brother rushes to the scene where his brother was to be murdered. He overtakes his brother and prevents him from entering the place, going first himself. His men, thinking that it was the plain clothes man, shoot and wound him mortally. He dies in the hands of the doctor-brother.

The scenes that show the two brothers returning home, succeeding to conceal from their mother the fact that the bootlegger-brother had been killed, are pathetic in the extreme.

Jane Murphy and George O'Hara wrote the story, and Mal St. Claire directed it. Tom Moore, Mat Moore, and Owen Moore take the part of the three brothers. Kathryn Perry is the heroine; she takes the part very well. Emma Dunn is the mother, and Frank Sheridan the father. They all do good work. The recording is excellent, the voices being clear and intelligible at all times. The music and the little singing that is done are very good. (Time, 74 min. by my watch. Film version shown.)

"Light Fingers" (100% T-F&D)—with Ian Keith and Dorothy Revier

(Columbia; July 29; syn. 5,700 ft.; sil. not determ.)

Though the story is familiar, it makes an entertaining program picture because of good direction, well-recorded dialogue, and the good work of the entire cast. There is an interesting love story, and there is action and suspense. Mr. Keith is a handsome crook-hero who reforms when he falls in love with the wealthy heroine, whose home he planned to rob. Miss Revier is a very charming heroine. Others are Carroll Nye, as her weak-willed gambling brother, Ralph Theodore, the bright detective and Tom Ricketts as the heroine's wealthy uncle, owner of a valuable jewel collection.

The story revolves around the crook's efforts to rob the uncle of his jewels, his falling in love with the heroine and consequent reformation, and his almost losing her when she believed he had broken his word and turned crook again.

The scenes where he introduces himself as a reporter are subtly humorous and not a little suspenseful. Suspenseful, too, are the scenes where the heroine catches her brother robbing their uncle, and the hero's fight with him because the brother had thought the hero was spying on him; the heroine is relieved when the hero tells the uncle that his falling down stairs was purely accidental. But the real suspense comes when the hero's car is pursuing the car containing his gang, who decided to commit the robbery without the hero, and his last minute arrival at the heroine's home with the jewels, just when the detective was about to accuse the heroine of knowing all about the robbery, since he (the detective) saw her let the hero escape.

The picture was directed by Joseph Henabery from a story by Alfred Henry Lewis. (Actual time by my watch was 60 min.)

THE INFLUENCE OF MOTION PICTURES FOR GOOD

Monte D. Allison, of San Bernardino, California, an intimate friend of mine for years, has had a strange experience with moving pictures.

He runs a drug store at San Bernardino. About 2 o'clock in the afternoon of August 12, two little girls, about 12 years old, went into his store and waited in front of the counter, pretending that they wanted to buy something.

R. B. Collins, his manager, was busy at that moment and, before he had time to attend to the little girls' wants, one of them snatched something from the counter and the two ran from the store.

Collins left the store and saw them running up the street, too far away for him to overtake them.

Mr. Collins could not ascertain what they took and forgot the incident.

Three hours later the little girls returned and asked Mr. Collins to speak to them privately. He took the girls aside and to his surprise they handed him a pair of sun-goggles, which sell for \$3.50. They explained that that afternoon they saw a picture that preached honesty and were moved into returning the stolen articles. The act was preying on their minds until they returned the sun-goggles.

Mr. Collins, of course, let the little girls go without a word, feeling that the picture preachment was stronger than anything that he could have said to them.

As this is an actual happening and not a story concocted by some press-agent, you could probably show it to such persons as are constantly decrying motion pictures. The good that motion pictures have done and are doing to humanity will never become known.

"Paris Bound" (100% T-F&D)

(Pathe, Aug. 3; syn. 6,684 ft.; sil. not fixed)

This is a domestic drama. But it is one of the most powerful that have been presented for a long time. The feeling of the characters when they act is so strong that the spectator is made to realize it vividly.

The picture opens showing the wedding of the hero and the heroine; they love each other passionately. But their happiness is marred by the fact that another woman, present at the wedding, loves the hero desperately, and that another man, an artist, also present at the wedding, loves the heroine. The heroine knows that the woman who loves her husband is present and that she wants to see him and to talk to him perhaps for the last time, and she urges the hero to see her and to calm her down. He sees her but the woman proclaims her undying love for him. His efforts to make her realize that he is in no position to accept professions of love from her are of no avail. Shortly she leaves and hero and heroine go on their honeymoon. After a year their happiness is augmented by an addition to the family, in the form of a son. Happy years pass. During the hero's absence to Paris, in one of his annual business trips there, a friend visitor tells the heroine that a certain friend of hers saw the hero in France in company with the woman that once loved him. The heroine's heart sinks. Shocked by the news, she has no strength to resist the profession of love of the artist, who was helping her in music lessons, and who was composing an opera which he had left unfinished, to symbolize that his love for her would be left unrealized. The hero returns on the day she had given her promise to the artist to run away with him, with the intention of divorcing her husband and marrying him. The hero embraces her and does not give her an opportunity to explain anything, although she wanted to tell him. The door bell rings three times, this being a signal that the heroine would consent to run away with the artist, if she answered it, failure to answer it meaning that she had changed her mind. She does not answer the bell and the artist goes away. Her love for her husband comes back to her.

The plot has been founded on the stage play by Philip Barry. Edward H. Griffith directed it. Ann Harding makes an excellent heroine, and Frederick March a hero. George Irving, Leslie Fenton, Hallam Cooley, Juliette Crosby, Charlotte Walker, Carmelita Geraghty, and Ilka Chase are in the cast. The sound has been recorded well, and is excellent in the reproduction. (Film version shown. Time, 74 min.)

It is a picture for down-town theatres in big cities but hardly for small towns.

"Fast Life" (100% T-D)*(First Nat., Syn. 7,541 ft. Sept. 29; sil. not fixed)*

In my long career as a reviewer it is the first time that I walked out on a picture. It made my stomach so sick that I could not stand it. And I have stood a great deal of punishment from poor pictures.

I cannot understand how any human being could have ever conceived that the story of "Fast Life" could have made an entertaining or an appealing picture. It is so gruesome that one might have just as well visited a morgue, watching the dismemberment of bodies, instead of seeing "Fast Life." To begin with, the story is illogical; the hero is convicted for first degree murder when no jury in the world would have convicted him at all, let alone give him the chair, when the murder was committed while defending the honor of his home. The murdered young man (villain) was infatuated with the heroine. After their party in the hero's home, everybody leaves. But the heroine returns. Suspecting that the heroine might return to the hero, the villain goes back. He enters the hero's house through the window and finds the heroine in the hero's bed. He then starts to insult her. She orders him to leave but he will not go. The hero enters the room and finding the villain orders him to leave. The hero mocks them both. The heroine then reveals to the villain the fact that they had been married secretly two days previously. The villain feigns swooning and, when the hero goes to the telephone to call a doctor, he grabs the hero's revolver and orders her to put on her cloak and to follow him to her mother's, threatening to shoot her if she disobeyed. The hero returns and grapples with the villain. In the struggle they go out of the room. When the door closes automatically a shot is heard and soon afterwards the villain's body falls into the room, lifeless.

The hero is next seen in a cell, ready to be taken to the chair. It is intimated that there had been two reprieves. Now, the most severe punishment the hero could have received under such circumstances would have been murder in the second degree, because the murder was not premeditated. But unless every juror were an imbecile they would have acquitted him, first, because there was no witness to the murder and the hero maintained his innocence to the end—he insisted that the gun went off accidentally. Following this, the fact that the villain had entered a married man's home through the window would have been enough for a jury to acquit him. But the author of the story saw fit to send the hero to the chair.

The lack of logic is not, however, what really condemns the picture but the harrowing details afterwards. While the hero is in the death cell, the Governor holds a hearing for a third reprieve. The pleas of the condemned boy's father, a minister, are too pathetic for anybody to stand them. The revelations of the Governor's son to his uncle, warden, that it was he that had fired the fatal shot, and the uncle's efforts to prevent the young man from confessing so that the innocent hero's life might be spared is that which drove me from the theatre and will no doubt drive others from the theatres that will play it. As I was going out I saw the priest in the picture going to the death cell to receive the hero's confession. It was the climax for me.

Samuel Shipman and John B. Hyemer wrote the story. John Francis Dillon directed it. Douglas Fairbanks, Jr., is the hero; Loretta Young, the heroine. The opening of the picture shows many young folk drinking and jazzing in the hero's home, the murder being the aftermath. (Time 84 minutes.)

"The Hollywood Revue" (100% T-FN)*(M-G-M, rel. date not set; 11,669 ft.; sil. not fixed)*

An unusual entertainment. It has no story, the picture being a series of short sketches, with music, dancing and singing, and with some comedy now and then. But this fact does not prevent the picture from being highly entertaining. The liveliness of the music and of the action gets into one's blood until one travels along with the action of the picture. The music is exquisite; the acting most artistic; the comedy makes one laugh and puts one in good humor. And in addition to these, there are some camera effects that are novel and arouse the spectator's interest. By lights and shadows, the characters, during a dance, are made to appear at times as exotic beings, and at times as mere shadows. There are other such effects. For instance, Bessie Love is shown as a lilliputian, inside the vest pocket of one of the characters. She exits from

his vest pocket and walks on his arms. Soon she assumes her natural size. Charles King does some good singing again. Marion Davies, Norma Shearer, William Haines, Gus Edwards, Joan Crawford, John Gilbert, Marie Dressler, Polly Moran, the Brox Sisters, Anita Page, Buster Keaton, the Albertina ballet, and others do bits in it. Mr. Gilbert and Miss Shearer are employed to act the balcony scene from Romeo and Juliet in technicolor. It is supposed to be a movie studio and the director decides to modernize that part of the play. The characters then talk modern, mostly slang, with good comedy effect. Marie Dressler is in a comedy sketch with Polly Moran; she shows that she has not lost her old ability to act. The recording was done well and the lines are intelligible at all times. Nevertheless, the "horny" coloring of the voices, the result of the use of horn projectors at the Astor Theatre where this picture was shown, was noticeable.

The picture was directed by Charles F. Riesner.

It is a first-class high-price entertainment for all wired houses. It is doubtful if a silent version will be of any value to a silent exhibitor.

"The Sophomore" (100% T-F&D)—with Eddie Quillan and Sally O'Neill*(Pathe, Aug. 24; syn. 6,526 ft.; sil. not fixed)*

This is a college student play, but it is different from any college play that has been shown for a long time. As a result, it arouses the spectator's sympathetic interest in what the principal characters do. There is, of course, a "one minute to go" incident, just like there is one in every college story; but this time it is introduced in a different way. The hero, instead of entering the game at the last minute and saving it, enters it but he is disqualified because of a blunder he had made. He is, however, able to save the game just the same when he tackles the player from his team, who, holding the ball, was going in the wrong direction. Thus he saved the game for his college. There is a love story interwoven in the plot, too; and it is charming. The other half of the love affair is Sally O'Neill.

One good thing about this college play is the fact that there is no real villain in it. There is, of course a rival who makes life miserable for the hero, and brings about his expulsion from the fraternity; but in the end he expresses regrets to the hero and they become friends again.

Corey Ford and T. W. Wenning wrote the story; Leo McCarey directed it. Stanley Smith, Jeanette Loff, Russell Gleason, Sarah Padden, Brooks Benedict, and Spec O'Donnell are in the cast. The recording is excellent. As a result the lines are intelligible at all times. (Film version shown. Time 72 min.)

"The Dance of Life" (100% T-F&D)*(Param., Sept. 7; syn. 10,619 ft.; sil. not fixed)*

This picture is "spotty"; there are stretches that are full of human interest; again there are stretches that are so overburdened with detail that they are boring. But there is one thing that stands out—the excellent acting on the part of Nancy Carroll and of Hal Skelly. Miss Carroll, however, wins the acting honors, as the faithful wife. And this will, no doubt, help the picture with women picture-goers. There are moments of deep appeal. Unfortunately these are shortlived. Most of the human interest is aroused by the love and loyalty the heroine shows for her husband. His sprees never discouraged her, and his forgetfulness of her when he became successful did not destroy her love for him, although it had made her lose hope that they would ever be reunited. Her rushing to him when she had heard that he had taken to drinking and had gone from bad to worse, sinking to the gutter, should win the admiration of every picture-goer, particularly of women.

"Burlesque" is the play upon which the plot of the picture was founded. Mr. Skelly acted in the play and made a name for himself. Ralph Theodore, Charles Brown, Dorothy Revier, Al St. John, May Boley, Oscar Levant and others are in the cast. It was directed by John Cromwell and Edward Sutherland. The recording has not been done with skill in that the sound is distorted, often to the point of being annoying.

It should provide a fairly good entertainment for men, a slightly better entertainment for women. (Time by my watch was 107 minutes. Film version shown.)

is all wrong; the life of a film sound print is longer than the life of a silent print, for the reason that, the importance of an intact sound track having been realized, every one who handles sound prints is more careful with them than he was with silent prints.

If you were to install a film instrument only you would compel even Warner Bros. to change from disc to film. They have changed already, since they are now recording on film and re-recording on disc. There is no reason why they should not put out sound-on-film prints; they have the film sound negatives.

HARRISON'S REPORTS urges you not to buy any disc talking pictures the sound of which has been transferred from the film. If you should do so you might just as well throw your money away and prepare to shut down your theatre in at least half of the times you show such pictures. You might make an exception in cases where the sound has been transferred from a variable width sound track, because such a track, as I have explained before, is affected to a lesser degree than is the variable density sound track. But you must have guarantees.

Let us drive the disc out of the talking picture business.

THE SECOND ACCOMPLISHMENT OF MR. MYERS!

Mr. Ahram F. Myers, has already announced that Allied States Association, of which organization he is, as you already know, President and General Counsel, has effected a franchise tie-up with another producer-distributor—Tiffany-Stahl.

The terms of the Tiffany-Stahl franchise are the same as those of the RKO franchise.

The deal between Mr. Myers and the Tiffany-Stahl executives was consummated under circumstances that independent exhibitors must know; it is only fair that they should.

Prior to the Chicago meeting, the negotiations with RKO proceeded smoothly. There was no stumbling block at any time. Minor differences arose, but these were settled to the satisfaction of the Allied States representatives by Mr. David Sarnoff, in his capacity as Chairman of the Board of Directors of RKO, and as the official who had approved the opening of the Allied-RKO negotiations.

At Chicago, however, where Mr. Myers had invited exhibitor leaders from every zone to confer with all the RKO branch managers and others of their sales forces for the purpose of deciding what method should be adopted best to present to the independent exhibitors the advantages that would be gained by those that would buy a franchise, some differences arose. These were not real; they were created by the interference of outside forces.

The progress of the movement was arrested for a short time until Mr. Sarnoff, upon his return to New York City on Monday, the day the meeting was held in Chicago, was apprised of the happenings and instructed the representatives of RKO to go on with the deal as arranged between himself and Mr. Myers. Mr. Sarnoff is not the man that would allow any one to make him look as if breaking his word. He stood like a rock. (This ought to be an example to those in the moving picture industry that change their minds so easily after giving their promises.)

And the deal went through as was first agreed upon, thanks to Mr. Sarnoff.

During the few anxious hours on Monday, when the Allied leaders and the other exhibitors did not know whether the negotiations, which had been definitely broken, would be resumed or not, Messrs. Young, Cook, and Hanson, of Tiffany-Stahl, showed courage that should commend them to every fair-minded independent exhibitor. They were not frightened when they saw themselves remaining alone with the exhibitors but assured Mr. Myers that they were ready to go through with their deal as originally outlined. Not that there was or is any connection between Tiffany-Stahl and RKO—an exhibitor, in fact, may buy the RKO franchise and not buy the Tiffany-Stahl, or he may buy the Tiffany-Stahl franchise and leave the RKO alone; but they felt that with so powerful a comrade they would be better able to fight against any "shut-out" of their pictures, a possibility they might have had to face. This show of courage won for them the admiration of the exhibitor representatives and will, no doubt, win the admiration of every one of you.

The Tiffany-Stahl of after the Chicago meeting is not the same Tiffany-Stahl of before that meeting. Invigorated

and encouraged by the turn of events, its executives have already set out to make pictures that will be worthy of any exhibitor's theatre. They have the money; and they have the will as well as the experience. Their pictures have been first-class as far as the physical end is concerned; they lacked only good stories. And these they have set out to get. They are going to have the outlet and therefore they do not fear to spend money in getting suitable story material.

It is the desire of HARRISON'S REPORTS that every exhibitor show to Tiffany-Stahl the loyalty that Tiffany-Stahl showed to the independent exhibitor representatives in Chicago.

CHANGING NEWSWEEKLY DISTRIBUTORS

Several exhibitors have written to this office asking its opinion as to what are their rights in the change of distributors for International News, and in the establishing of Universal News.

Clause 13 of the Standard Exhibition Contract provides as follows:

"The contract shall not be assigned by either party without the written consent . . . of the other party; . . ." Accordingly, when International News was transferred to Metro-Goldwyn-Mayer without your consent, your contract became cancelled automatically. Consequently, M-G-M cannot force you to accept the International News, which now is M-G-M-International News, unless you want to accept it voluntarily. A new contract must be made.

The present Universal News is not the International News you contracted for. Consequently, Universal cannot force you to accept Universal News in place of International News, unless you want to accept it. A new contract must be made.

THE LOW PRICE RCA PHOTOPHONE MODEL

The engineering department of RCA has already gone head over heels in the production in mass quantities of the small instrument which has been agreed upon between Commissioner Meyers and RCA Photophone officials. The price of this instrument has been set at \$2,995 (installed) for theatres of 500 seats or less. A proportionate price will be charged for theatres of greater seating capacities. But in any event it will be as low as compared with instruments put out by the other concerns.

If you contemplate to take advantage of this low price, make your application at once. You may send it in care of Mr. L. P. Sawyer, Commercial Vice-President of RCA Photophone, Inc., 411 Fifth Avenue, New York City. Mr. Sawyer will see to it that your name is entered in the proper place and you are given the proper serial number. Remember that there is already a rush for these instruments, and the earlier you put in your application the earlier you will get an installation. The instruments will be apportioned among the different zones just as they are delivered from the factory in mass quantities. The early applicants from the different zones will be taken care of first.

Since the cash price is \$2,995 (including installation charges), you may get better action if your application is accompanied by a check for ten per cent of the price, or \$299.50.

There are going to be terms, of course, for those that are unable to pay the cash price at once. Such terms have not yet been decided upon but they will be soon. In any event, they will be reasonable. Perhaps only 6% interest will be charged for the balance. But whatever such terms will be, they will be made alike for all. RCA Photophone, Inc., insists upon treating all exhibitors alike.

Exhibitors are just beginning to realize what Mr. Myers' leadership has brought to them.

And this is only the beginning!

ORDER YOUR MISSING COPIES

Look over your files and if you find any copies missing order them at once. I keep in stock a sufficient number of copies for each issue to take care of such needs.

You don't know when you may need the copy that is just missing from your files. Why, then, wait until you need it? Order it now!

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THE MEANING OF THE SOUND SYMBOLS

(AT) means all talk, or 100% talk; (PT), part talk; (F), that the sound is recorded on the film; (D), that the sound is recorded on the disc; (F&D), that the sound has been recorded on both film and disc; (N), that there is no silent version. Thus (ATF&DN) means that the picture is 100% dialogue, that the sound has been recorded on both film and disc, and that there is no silent version. When a picture is marked (F&D), the sound was originally recorded on the film and afterwards transferred to the disc by re-recording. Re-recorded sound is poor unless it is done by experts, persons that have had years of experience in re-recording. Even then, its quality will depend on the kind of sound track used in the original recording, on whether the raw stock was good, and on whether the development of the negative was good or not.

FEATURE PICTURE RELEASE SCHEDULES

Columbia Features

Trial Marriage (S)—N. Kerry-S. Eilers.....	Mar. 10
Eternal Woman (Little Wildcat)—Borden.....	Mar. 18
The Quitter—B. Lyon-D. Revier	Apr. 1
Donovan Affair (AT)—J. Holt-D. Revier.....	Apr. 11
Father and Son (PTFD)—J. Holt-D. Revier.....	May 13
The Bachelor Girl (PTDF)—Collier, Jr.—Logan.....	May 20
Flying Marine (PTF&D)—Ben Lyon-S. Mason (reset),	June 5
Fall of Eve (ATF&D)—P. R. Miller-F. Sterling (reset),	June 25
Light Fingers (ATF&D)—I. Keith-D. Revier...	July 29
College Coquette (ATF&D)—Ruth Taylor-Wm. Collier, Jr.	Aug. 5
Hurricane (ATF&D)—Hobart Bosworth-J. M. Brown	not set
end of 1928-1929 season	

Excellent Features

Montmarte Rose—M. De La Motte (reset).....	Mar. 15
Roses of Picardy—Rex Ingram Prod. (reset)....	Apr. 1
One Splendid Hour—Viola Dana-A. Simpson....	Apr. 15

First National Picture Release Schedule and Exhibition Values

518 Cheyenne—Feb. 3	700,000B	700,000P
553 His Captive Woman (Changeling) (PTD)—Sil., Feb. 3; Syn., Apr. 7.....	Special	
497 Children of the Ritz (SD)—Sil. Feb. 17; Syn. Mar. 3.....	900,000B	900,000P
492 Love and The Devil (Capt. of Strong) (SD)—Sil. Feb. 24; Syn. Mar. 24.....	950,000B	950,000P
522 Why Be Good? (SD)—Sil. Mar. 3; Syn. Mar. 17.....	Special	
480 Saturday's Children (ATD)—Sil. Mar. 10; Syn. Apr. 14.....	1,300,000B	1,300,000P
519 California Mail—Apr. 7.....	700,000B	700,000P
506 House of Horrors (Sh! the Octopus) (PTD)—Sil. Apr. 7; Syn. Apr. 28.....	800,000B	800,000P
550 Divine Lady (SD)—Sil. Apr. 14; Mar. 31.....	Special	
503 Hot Stuff (Bluffers) (PTD)—Sil. Apr. 21; Syn. May 5	1,100,000B	1,100,000P
516 Royal Rider—May 5.....	700,000B	700,000P
499 Two Weeks Off (PTD)—May 12	900,000B	900,000P
479 Prisoners (Paid For) (PTD)—May 19	1,300,000B	1,300,000P
554 The Squall (ATD)—Sil. June 23; Syn. May 26	Special	
487 Careers (Heart of a Princess) (ATD)—Syn. June 2; Sil. July 14.....	1,100,000B	1,100,000P
498 Girl in Glass age (PTD)—Sil. July 21; Syn. June 23	800,000B	800,000P
505 Broadway Babies (On the Air) (ATD)—Sil. July 28; Syn. June 30.....	1,300,000B	1,300,000P
555 Man and the Moment (La Tosca) (PTD)—Sil. July 7; Syn. July 7.....	Special	

1929-1930 Season

571 Twin Beds (ATD)—Sil. Aug. 4; Syn. Sept. 1	1,100,000B
483 Drag (Diversion) (ATD)—Sil. Aug. 11; Syn. July 21	1,300,000B
523 Smiling Irish Eyes (ATD)—Sil. Sept. 16; Syn. July 28	Special
564 Hard to Get (ATD)—Sil. Aug. 25; Syn. Sept. 8	1,100,000B
494 Dark Streets (The Spotter) (PTD)—Sil. Sept. 8; Syn. Aug. 11.....	1,100,000B
575 Careless Age (ATD)—Sil. Sept. 15; Syn. Aug. 18	900,000B
488 Her Private Life (The Other To-morrow) (ATD)—Sil. Sept. 27; Syn. Sept. 1.....	1,300,000B

Fox Features

- Black Watch (ATF)—McLaglen-Loy (re.)..June 2
 23 Exalted Flap. (Kisses for Sale) (SF) (re.)..June 9
 no release scheduledJune 16
 15 Masked Emotions (Stg. Dr. D.'s) (SF) (re.)..June 23
 Behind That Curtain (ATF) (re.).....June 30
 14 Black Magic (Vamp. a la Mode) (SF) (re.)..July 7
 Pleasure Crazy (ATF)—Burgess (re.).....July 7
 Masquerade (ATF)—Bir'ingh'm-Hyams (re.)..July 14
 Words and Music (ATF)—Moran-Percy.....July 21
 10 Chasing Thru Europe (SF)—Stuart-Carol..Postponed

Metro-Goldwyn-Mayer Features

- 913 China Bound—Karl Dane-G. Arthur.....May 18
 917 A Man's Man (S)—Wm. Haines-J. Dunn.....May 25
 1001 B'way Melody (ATDN)—King Page-Love..June 1
 1002 Trial of Mary Dugan (ATDN)—Shearer..June 8
 1003 The Idle Rich (ATDN)—C. Nagel-B. Dove..June 15
 no release set for.....June 22
 905 Wonder of Women (PTD)—Stone-Hyams..June 29
 941 Thunder (SD)—L. Chaney-Murray-Haver..July 6
 924 Last of Mrs. Cheyney (ATF&D)—Shearer..July 13
 920 Marianne (ATF&D)—M. Davies-O. Shaw..July 20
 928 Single Standard (SD)—G. Garbo.....July 27

1929-1930 Season

- 45 Madame X (ATDN)—Stone-Hackett—
 ChattertonAug. 17
 5 Our Modern Maidens (ATD)—J. Crawford..Aug. 24
 37 Girl in the Show (Eva 5th) (ATF&D)—Love..Aug. 31
 2 Speedway (SD)—Wm. Haines.....Sept. 7
 39 Unholy Night (Green Ghost) (ATD)—
 TorrenceSept. 14
 33 Wise Girls (Kempy) (ATN)—Nugent-Young..Sept. 28
 22 Cock of the Walk (Olympia) (ATN) Gilbert..Sept. 28

Paramount Features

- 2894 Dangerous Woman (Woman Who Needed
 Killing) (ATFDN)—Baclanova (re.).....May 18
 2895 The Rainbow Man (ATDFN)—E. Dowling..May 18
 2881 Innocents of Paris (ATFD)—Chev. (re.)..May 25
 2876 Man I Love (ATFD)—Arlen-Brian. (re.)..May 25
 2891 Studio Murder Mystery (ATFDN)—(re.)..June 1
 2826 Stairs of Sand—W. Beery-J. Arthur.....June 8
 2803 Wheel of Life (ATFD)—Dix-Ralston (re.)..June 15
 2808 Thunderbolt (ATFD)—Bancroft (re.).....June 22
 2823 Fashions in Love (Conc't.) (ATFD)—(re.)..June 29
 2828 Div. Made Easy (ATFD)—MacLean (re.)..July 6
 2858 Dangerous Curves (ATFD)—Bow (re.)...July 13
 2816 Riv. of Rom. (Man Must F') (ATFD) (re.)..July 30

1929-1930 Season

- 2953 The Cocoanuts (ATF)—Marx Bros.....Aug. 3
 2928 Hungarian Rhapsody (SD)—Ufa Prod....Aug. 3
 2952 Mysterious Dr. Fu Manchu (ATFD) Oland..Aug. 10
 2978 Charming Sinners (ATF&D)—Clive Brook..Aug. 17
 2929 The Soul of France (SD).....Aug. 24
 2964 Greene Murder Case (ATF&D) Wm.Powell..Aug. 31
 2955 Dance of Life (Burlesque) (ATF&D)—
 Hal SkellySept. 7
 2983 Fast Company (ATF&D) E.Brent-J.Oakie..Sept. 14
 2960 Illusion (ATF&D)—Rogers-CarrollSept. 21
 2910 Jealousy (ATF&D)—J'ne Eagles-F. March..Sept. 28
 2977 Woman Trap (ATF&D)—Hal Skelly-Brent..Sept. 28

Pathe Features

- 9525 Mother's Boy (ATDFN)—Morton Downey..May 12
 9540 High Voltage (ATDF)—Wm. Boyd (re.)..May 19
 9535 The Flying Fool (ATDF)—Wm. Boyd.....Not set

Rayart Features

- Handcuffed (ATD)—V. Faire-W. Oakman.....Aug. 1
 Bride of the Desert (ATD)—Calhoun-Mason...Sept. 15

RKO Features

- 9236 Laughing at Death—Bob SteeleJune 2
 9227 Pride of Pawnee—Tom TylerJune 9
 9247 Pals of the Prairie—Buzz Barton.....July 7

1929-1930 Season

- 0101 Street Girl (ATF&D)—Betty Compson....Aug. 11
 0503 The Very Idea (ATF&D)—Kearns-S.Blane..Sept. 1
 0202 Side Street (ATF&D) Tom, Matt-O. Moore..Sept. 8
 0102 Rio Rita (ATF&D)—B. Daniels-J. Boles..Sept. 15
 0203 Delightful Rogue (ATF&D)—
 LaRocque-DanielsSept. 22
 0505 Tanned Legs (ATF&D)—Morton-Day ...Sept. 29

Tiffany-Stahl Features

- New Orleans (PTFD)—Cortez-Bennett.....Aug. 1
 Two Men and a Maid (PTFD)—Collier-Bennett..Aug. 1
 My Lady's Past (PTFD)—Belle Bennett.....Aug. 15
 Midstream (PTFD)—Cortez-Windsornot set
 Whispering Winds (PTFD)—Southern-McGregor..not set
 Reputation (PTFD)—Keane-Standingnot set
 The Voice Within (Miracle) (PTF&D)—
 Southern-Pigeonnot set

1929-1930 Season

- Mr. Antonio (ATF&D)—Leo Carillo.....not set

United Artists Features

- Coquette (AT)—Mary Pickford.....Apr. 12
 Alibi (Nightstick)—Chester Morris.....Apr. 20
 Eternal Love (S)—J. Barrymore.....May 11
 Three Passions (S)—A. Terry-I. Petrovitch....June 1
 This Is Heaven (PT)—Vilma BankyJune 22
 She Goes to War (PT)—Eleanor Boardman....July 13
 Bulldog Drummond (ATF&D)—Colman (reset)..Aug. 3
 Evangeline (SD)—D. Del Rio.....Aug. 24
 Lummo (ATF&D)—W. Westover.....Sept. 14

Universal Features

- A5768 The Charlatan (PTF)—M. Livingston....Apr. 7
 A379 Plunging Hoofs—Rex-PerrinApr. 14
 A5763 Scandal (Htd. Lady) (PTF)—LaPlante..Apr. 21
 A373 Eyes of the Underworld—CodyApr. 28
 A380 The Border Wildcat—WellsMay 19
 A5757 His Lucky Day (PT)—R. Denny.....June 2
 A375 The Tip Off—Bill CodyJune 2
 A5767 Winged Horsemen (Blow) Gibson.....June 16
 A376 Hoot Beats of Vengeance.....June 16
 A5770 Come Across (PT)—L. Basquette.....June 30
 A377 The Smilin' Terror—Ted Wells.....June 30
 A5777 College Love (ATF&D)—Lewis-Gulliver..July 7
 A362 The Body Punch—Jack Daugherty.....July 14
 A5769 Modern Love (Y c't buy L) (PT) (re) July 14
 A5760 Melody Lane (Play Goes On) (ATF&D)
 (reset)July 21
 A5776 Show Boat (ATF&D)—All Star.....July 28
 A5746 Girl Overboard (PTF&D)—M. Philbin..July 28
 A5753 Love Trap (That Blonde) (PTF&D) (re.)..Aug. 4
 A372 Harvest of Hate—Rex-PerrinAug. 4
 A374 Riding Demon—Ted WellsAug. 18
 A5749 Points West—Hoot GibsonAug. 25
 A5746 One Rainy Night (PT)—La Plante.....Aug. 25

1929-1930 Season

- A5778 Drake Case (PTF&D)—G. Brockwell...Sept. 1
 A5779 Wagon Master (PTF&D)—Ken Maynard..Sept. 8
 A5780 Embarrassing Moments (PTF&D) Denny..Sept. 15
 A5781 Barnum Was Right (PTF&D)—Tryon..Sept. 22
 A5782 Tonight at Twelve (ATF&D)—Bellamy..Sept. 29

Warner Bros. Features

- 232 Hard Boiled Rose (PTD)—Myrna Loy.....May 4
 The Desert Song (PTD)—All Star.....May 11
 Sonny Boy (PTD)—Davey LeeMay 18
 233 Frozen River (PT)—Rin-Tin-TinMay 25
 229 From Headquarters (PTD)—Monte Blue...June 6
 The Glad Rag Doll (Al. An.) (PTD)—Cos..June 8
 Time, Place, Girl (ATD)—all star.....June 8
 Noah's Ark (PTD)—O'Brien-CostelloJune 15
 Madonna of Avenue A (PTD)—D. Costello.....June 22
 Gamblers (PTD)—Wilson-WarnerJune 29
 On With the Show (ATD)—all star.....July 13

1929-1930 Season

- Honky Tonk (ATD)—Sophie TuckerAug. 3
 The Hottentot (ATD)—E. E. Horton.....Aug. 10
 The Argyle Case (ATD)—Thomas Meighan....Aug. 17
 Say It With Songs (ATD)—Al Jolson.....Aug. 24
 In the Headlines (PTD)—Marian Nixon.....Aug. 31
 Skin Deep (ATD)—Monte BlueSept. 7
 The Sap (ATD)—E. E. Horton.....Sept. 14

World Wide Features

- Berlin After Dark—Gerron-StahlMar. 31
 Black Waters (AT)—John LoderApr. 14
 Week End Wives—Monty Banks-E. Brody.....May 25
 Piccadilly (PT)—Gilda Gray-A. May Wong....June 1
 The Doctor's Women (S)—Miles Mander.....June 1
 Kitty (PT)—Estelle Brody-J. Stuart.....June 15
 Prince and the Dancer (S)—A. Pauli.....June—
 Midnight Daddies (ATF&D)Aug. 3

ONE AND TWO REEL SUBJECT RELEASE SCHEDULES

Educational—One Reel

On the Streets (SD)—Howe.....July 21
Contented Wives—Alt—Cameo.....July 28
Hot Sports—Collins—Cameo.....Aug. 11
Studio Stunts (SD)—Howe.....Sept. 1

Educational—Two Reels

Girl Crazy (TF&D)—Clyde-Sennett (reset)....June 9
What a Day—Collins—Mermaid.....June 16
Helter Skelter—Big Boy—Juvenile.....June 16
Trusting Wives (T)—Cornet.....June 23
Jazz Maminas (ATF&D)—Va. Lee Corbin-Sennett,
June 30
Studio Pests—Drew—Ideal.....June 30
Lover's Delight (TD&F) Arthur-Garon-J. White. June 31
Don't Be Nervous (AT)—Hamilton.....July 7
Top Speed—Alt—Mermaid.....July 7
Buying a Gun (TF&D)—Lupino Lane (reset)....July 14
Joy Land—Lupino Lane.....July 21
The Barber's Daughter (TF&D)—M. Sennett (re.) July 21
Honeymooniacs—Collins—Mermaid.....July 28
Sole Support—Big Boy—Juvenile.....Aug. 4
The Contabule (TF&D) Clyde-Gibbon-Sennett. Aug. 11
His Baby Daze (TF&D)—L. Hamilton.....Aug. 18
Look Out Below (TF&D)—Ray, McKee-J. White. Aug. 18
Fake Flappers—Drew—Ideal.....Aug. 18
Ticklish Business (TF&D)—Collins—Mermaid. Aug. 25
The Lunkhead (TF&D) Clyde-Gibbon-M. Sennett. Sept. 1
Social Sinners (TF&D)—McKee-Tuxedo.....Sept. 1
Fire Proof (TF&D)—Lupino Lane.....Sept. 8
Prince Gabby (TF&D)—E. Horton-Coronet....Sept. 15
Mack Sennett Talking (TF&D).....Sept. 22
Lloyd Hamilton Talking (TF&D).....Sept. 29

Fox—One Reel

Call of the Deep.....July 7
Bypaths in the Balkans.....July 21
Airways of the Arctic.....Aug. 4

Metro-Goldwyn-Mayer—One Reel

Brown Gold—Oddity.....July 6
Oriental Motoring—Oddity.....July 20
Dealers in Babies—Oddity.....Aug. 3

Metro-Goldwyn-Mayer—Two Reels

Frontier Romance—Events.....July 6
Dad's Day (AT)—All Star.....July 6
Boxing Gloves (AT)—Our Gang.....July 13
Snappy Snezzler (AT)—Chase.....July 20

Paramount—One Reel

Koko's Hypnotism—Inkwell Imps.....July 13
Sleepy Holler—Krazy Kat.....July 20
Chemical Koko—Inkwell Imps.....July 27

1929-1930 Season

Chinatown, My Chinatown (ATF&D)—Sc. Song. Aug. 3
Radio Rhythm (ATF&D)—Rudy Vallee-Act....Aug. 10
Dixie (ATF&D)—Sc. Song.....Aug. 17
Raising the Roof (ATF&D)—L. Roth-Act.....Aug. 24
Goodbye, My Lady Love (ATF&D)—S. Song...Aug. 31
No Title (ATF&D)—Act.....Sept. 7
My Pony (ATF&D)—Sc. Song.....Sept. 14
No Title (ATF&D)—Act.....Sept. 21
Smiles (ATF&D)—Sc. Song.....Sept. 28

Paramount—Two Reels

Hold Up (Gar. of Kam) (TD)—How. Act (re.) July 6
A Hint to Brides (Faro Nell) (TD)—Ch. (re.) July 13
Melting Pot (TD)—Act (re.).....July 20

1929-1930 Season

No two reel releases during August
The Sleeping Porch (ATD&F)—Christie.....Sept. 7
Ladies' Choice (ATD&F)—Christie.....Sept. 14
No Title (ATD&F)—Comedy.....Sept. 21
No Title (ATF&D)—Christie.....Sept. 28

Pathe—Two Reels

What a Day (ATDF)—LeMaire.....June 16
A Close Shave—Sennett-J. Burke.....June 23
Uncle's Visit—Smitty.....June 30

RKO—One Reel 1929-1930 Season

0901 Headwork (ATF&D)—RCA Novelties....Sept. 15
0902 Godfrey, Ludlow & NBC Orchestra (ATF&D),
Nov. 10

RKO—Two Reels 1929-1930 Season

0801 The Burglar (ATF&D)—RCA Short.....Aug. 11
0701 Mickey's Midnite Follies (ATF&D)—McGuire,
Aug. 18
0907 The Traveler (ATF&D)—RCA Marc Connelly's,
Aug. 18
0601 The Captain of His Roll (ATF&D)—Record
Breakers.....Sept. 8
0802 St. Louis Blues (ATF&D)—RCA Short..Sept. 8
0702 Mickey's Surprise (ATF&D)—McGuire..Sept. 15
0602 As You Mike It (ATF&D)—Record Breakers,
Sept. 22

Universal—One Reel

Wearie Willies (SDF)—Oswald.....Aug. 5
Stepping High—Arthur Lake.....Aug. 12
Saucy Sausages (SF&D)—Oswald.....Aug. 19
Day Dreams (Laemmle Novelty).....Aug. 26
Cohen on the Telephone (ATF&D)—G. Sidney. Sept. 2

1929-1930 Season

Race Riot (SF&D)—Oswald.....Sept. 2
Own a Home—N. Edwards-B. Roach.....Sept. 9
Oils Well (SF&D)—Oswald.....Sept. 16
Going South—Edwards-Roach.....Sept. 23
Permanent Wave (SF&D)—Oswald.....Sept. 30
Hits of Today (ATF&D)—Morgan-Bledsoe....Sept. 30

Universal—Two Reels

Newlywed's Pest—Sid Saylor.....Aug. 7
The Cut-Ups—George.....Aug. 14
Stop Barking—Buster Brown.....Aug. 21
Good Skates—Mike and Ike.....Aug. 28
Sweethearts (TF&D)—Three Rooneys.....Sept. 2
Splash Mates (TF&D)—Collegians.....Sept. 2

1929-1930 Season

Burning Youth—Sid Saylor.....Sept. 4
The Boy and the Bad Man—B. Nelson.....Sept. 7
Baby Talks (TF&D)—Sunny Jim.....Sept. 11
The Lone Round Up—Jack Daugherty.....Sept. 14
The Love Tree (TF&D)—Three Rooneys.....Sept. 16
Graduation Daze (TF&D)—Collegians.....Sept. 16
The Red Rider—Ted Carson.....Sept. 21
Night Owls—Arthur Lake.....Sept. 25
Boss of Bar Twenty—W. E. Lawrence.....Sept. 28

HOW TO FIGURE OUT THE AGE OF A NEWSWEEKLY

To figure out the age of a newsweekly, look on the release schedule to find out when it was released in New York City. Then look in the chart, and locate the meeting point of the two lines, the one down the column of the particular company's newsreel, of the odd or of the even number, and the other on the line of the particular zone you are in. At the meeting point you will find a little number at the right hand side of the release day. Add as many days to the New York release day and you will have the day on which the life of the news starts.

Suppose, for example, you are situated in New Orleans, and want to find out how old is Fox News No. 99, which is an odd number. Take the release day chart, and run down the odd column of Fox News until you come to the New Orleans line. You will see that the number given is (1), and the day Thursday. This means that Fox News No. 99 is released in New Orleans one day after it was released in New York City. As it will be released in New York City on Wednesday, September 4, by adding one day to that date, you will find that Fox News No. 99 will be released in New Orleans on Thursday, September 5.

Let us now take Paramount News No. 1. This number was released in New York on Saturday, July 27. Suppose you are in San Francisco. By running down the odd column of the Paramount News until you reach the San Francisco line, you will find that the day given is Wednesday, and the number (4). This means that Paramount News Number 1, which was released in New York City on Saturday, July 27, was released in San Francisco on Wednesday, July 31. On that day it was one day old.

The ages of other newsweeklies may be found by a similar calculation.

CHART OF RELEASE DAYS FOR ALL NEWS WEEKLIES

	Internat'l News		Pathe News		Fox News		Kinograms		Paramount News		M-G-M News	
	Even Rel.	Odd Rel.	Odd Rel.	Even Rel.	Even Rel.	Odd Rel.	Odd Rel.	Even Rel.	Odd Rel.	Even Rel.	Even Rel.	Odd Rel.
Albany	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Atlanta	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Boston	Sun. 1	Wed. 0	Mon. 2	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Wed. 0
Buffalo	Sun. 1	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Butte	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Tues. 3	Sat. 3	—	—	Tues. 3	Sat. 3	Wed. 4	Sat. 3
Charleston	Mon. 2	Thur. 1	—	—	Sun. 1	Thur. 1	—	—	—	—	Mon. 2	Thur. 1
Charlotte	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Chicago	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Cincinnati	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1
Cleveland	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Columbus	—	—	—	—	—	—	—	—	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Dallas	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3
Denver	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Tues. 3	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3
Des Moines	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1
Detroit	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
El Paso	—	—	—	—	Wed. 4	Sun. 4	—	—	—	—	—	—
Indianapolis	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Jacksonville	Mon. 2	Thur. 1	—	—	Mon. 2	Thur. 1	—	—	Sun. 1	Thur. 1	Mon. 2	Thur. 1
Kansas City	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Los Angeles	Tues. 3	Sat. 3	Sat. 7	Sun. 4	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3
Memphis	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1	—	—	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Milwaukee	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Minneapolis	Sun. 1	Wed. 0	Sun. 1	Sat. 3	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1
New Haven	Sun. 1	Wed. 0	Mon. 2	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Thur. 1	Sat. 0	Wed. 0
New Orleans	Mon. 2	Thur. 1	Thur. 5	Fri. 2	Mon. 2	Thur. 1	Mon. 2	Fri. 2	Mon. 2	Thur. 1	Sun. 1	Thur. 1
NEW YORK	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Oklahoma City	Sun. 1	Thur. 1	Wed. 4	Sun. 4	Wed. 4	Sun. 4	Sun. 1	Thur. 1	Wed. 4	Sat. 3	Sun. 1	Thur. 1
Omaha	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1
Peoria	—	—	—	—	—	—	—	—	—	—	—	—
Philadelphia	Sat. 0	Wed. 0	Mon. 2	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Mon. 2	Thur. 1	Sat. 0	Wed. 0
Pittsburgh	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Wed. 0	Mon. 2	Thur. 1	Sat. 0	Wed. 0
Portland, Ore.	Wed. 4	Sat. 3	Sat. 7	Mon. 5	Wed. 4	Sat. 3	—	—	Wed. 4	Sun. 4	Wed. 4	Sat. 3
Portland, Me.	Sun. 1	Thur. 1	—	—	—	—	—	—	Mon. 2	Thur. 1	Mon. 2	Thur. 1
St. Louis	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Salt Lake City	Wed. 4	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3
San Antonio	—	—	—	—	—	—	—	—	Wed. 4	Sat. 3	Wed. 4	Sat. 3
San Francisco	Wed. 4	Sat. 3	Sat. 7	Sun. 4	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3
Seattle	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3
Sioux Falls	Mon. 2	Thur. 1	—	—	Mon. 2	Thur. 1	—	—	Mon. 2	Thur. 1	—	—
Vancouver	Mon. 2	—	—	—	—	Wed. 0	—	—	—	—	—	—
Washington	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Wichita, Kans.	Mon. 2	Thur. 1	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Wilkes Barre	—	—	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Winnipeg	Mon. 2	—	—	—	—	Mon. 5	—	—	—	—	—	—

NEW YORK RELEASE DATES OF ALL THE NEWSWEEKLIES

M-G-M-International (Silent) News	Paramount (Silent) News	Kinograms (Silent News)	Pathe Sound News
1 Odd .....Wed., July 31	105 Odd .....Sat., July 27	5526 Even .....Wed., Aug. 14	51 Saturday .....Aug. 3
2 Even .....Sat., Aug. 3	106 Even .....Wed., July 31	5527 Odd .....Sat., Aug. 17	52 Wednesday .....Aug. 7
3 Odd .....Wed., Aug. 7	1 Odd .....Sat., Aug. 3	5528 Even .....Wed., Aug. 21	53 Saturday .....Aug. 10
4 Even .....Sat., Aug. 10	2 Even .....Wed., Aug. 7	5529 Odd .....Sat., Aug. 24	54 Wednesday .....Aug. 14
5 Odd .....Wed., Aug. 14	3 Odd .....Sat., Aug. 10	5530 Even .....Wed., Aug. 28	55 Saturday .....Aug. 17
6 Even .....Sat., Aug. 17	4 Even .....Wed., Aug. 14	5531 Odd .....Sat., Aug. 31	56 Wednesday .....Aug. 21
7 Odd .....Wed., Aug. 21	5 Odd .....Sat., Aug. 17	5532 Even .....Wed., Sept. 4	57 Saturday .....Aug. 24
8 Even .....Sat., Aug. 24	6 Even .....Wed., Aug. 21	5533 Odd .....Sat., Sept. 7	58 Wednesday .....Aug. 28
9 Odd .....Wed., Aug. 28	7 Odd .....Sat., Aug. 24	5534 Even .....Wed., Sept. 11	59 Saturday .....Aug. 31
10 Even .....Sat., Aug. 31	8 Even .....Wed., Aug. 28	5535 Odd .....Sat., Sept. 14	60 Wednesday .....Sept. 4
11 Odd .....Wed., Sept. 4	9 Odd .....Sat., Aug. 31	5536 Even .....Wed., Sept. 18	61 Saturday .....Sept. 7
12 Even .....Sat., Sept. 7	10 Even .....Wed., Sept. 4	5537 Odd .....Sat., Sept. 21	62 Wednesday .....Sept. 11
13 Odd .....Wed., Sept. 11	11 Odd .....Sat., Sept. 7	5538 Even .....Wed., Sept. 25	63 Saturday .....Sept. 14
14 Even .....Sat., Sept. 14	12 Even .....Wed., Sept. 11	5539 Odd .....Sat., Sept. 28	64 Wednesday .....Sept. 18
Universal (Silent) News	Pathe (Silent) News	Fox (Silent) News	Paramount Sound News
61 Odd .....Wed., July 31	68 Even .....Wed., Aug. 14	93 Odd .....Wed., Aug. 14	1 Saturday .....Aug. 3
62 Even .....Sat., Aug. 3	69 Odd .....Sat., Aug. 17	94 Even .....Sat., Aug. 17	2 Saturday .....Aug. 10
63 Odd .....Wed., Aug. 7	70 Even .....Wed., Aug. 21	95 Odd .....Wed., Aug. 21	3 Saturday .....Aug. 17
64 Even .....Sat., Aug. 10	71 Odd .....Sat., Aug. 24	96 Even .....Sat., Aug. 24	4 Saturday .....Aug. 24
65 Odd .....Wed., Aug. 14	72 Even .....Wed., Aug. 28	97 Odd .....Wed., Aug. 28	5 Saturday .....Aug. 31
66 Even .....Sat., Aug. 17	73 Odd .....Sat., Aug. 31	98 Even .....Sat., Aug. 31	6 Saturday .....Sept. 7
67 Odd .....Wed., Aug. 21	74 Even .....Wed., Sept. 4	99 Odd .....Wed., Sept. 4	7 Saturday .....Sept. 14
68 Even .....Sat., Aug. 24	75 Odd .....Sat., Sept. 7	100 Even .....Sat., Sept. 7	8 Saturday .....Sept. 21
69 Odd .....Wed., Aug. 28	76 Even .....Wed., Sept. 11	101 Odd .....Wed., Sept. 11	9 Saturday .....Sept. 28
70 Even .....Sat., Aug. 31	77 Odd .....Sat., Sept. 14	102 Even .....Sat., Sept. 14	10 Saturday .....Oct. 5
71 Odd .....Wed., Sept. 4	78 Even .....Wed., Sept. 18	103 Odd .....Wed., Sept. 18	11 Saturday .....Oct. 12
72 Even .....Sat., Sept. 7	79 Odd .....Sat., Sept. 21	104 Even .....Sat., Sept. 21	12 Saturday .....Oct. 19
73 OddWed., Sept. 11	80 EvenWed., Sept. 25	1 OddWed., Sept. 25	13 SaturdayOct. 26
74 EvenSat., Sept. 14	81 OddSat., Sept. 28	2 EvenSat., Sept. 28	14 SaturdayNov. 2

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Vol. XI

SATURDAY, AUGUST 31, 1929

No. 35

Don't Buy Film Unless You Buy It On Your Terms!

The high film rentals were killed as early as last spring. The depression that prevailed in all businesses made money so scarce that people stopped going to picture shows or reduced the number of times they went. The poor sound of most talking pictures drove away most of those that still kept going. The result was that theatres closed down by droves, and the owners of those that remained open demanded readjustments of their contracts. This naturally threw the producers into a panic.

The Washington conference of Allied States leaders, who, under the guidance of Mr. Abram F. Myers, gathered to think of means and ways to bring about relief to the independent theatre owners, who were threatened with extinction, broke up the high film rentals still more.

The announcement that Allied States Association consummated an agreement with Radio Pictures and Tiffany for the sale of their pictures to the independent theatre owners on a franchise basis on terms that would make it possible for them to keep in business completed the demoralization of the high prices.

Today it is not a question as to how to make an exhibitor pay high prices, but how to make him buy film at all. Selling of pictures is completely at a standstill, for every one is interested in the Allied agreement with Radio Pictures and Tiffany. They will not buy a dollar's worth of film until they first set themselves with the franchises of these two companies.

The other producer-distributors are making desperate efforts to sell the exhibitors film. They offer all kind of inducements. One exhibitor in this territory signed an application for a high price picture at a big figure. The contract was rejected. Last week they agreed to accept a contract from him on a very low percentage. Another company offered this exhibitor its entire 1929-30 product on 25% of the gross receipts for the producer and 70% for the exhibitor. The exhibitor refused this flattering offer.

And these are only two cases. Dozens of such cases have come to the attention of this paper.

Don't be in a hurry to buy film! Take your time! There will be plentiful sound product to take care of your needs, no matter when you buy it. Besides, remember that sound pictures are more perishable than fruit. A picture that draws today loses its drawing powers three weeks or a month afterwards. That is what experience has proved. If you should happen to buy drawing pictures now, a month from now they may lose their drawing power. So wait! Don't make a move until after you set yourself with a Radio Picture and a Tiffany franchise. Remember that the consummating of these two franchise agreements by Allied is going to prove your salvation; it is going to keep you in business. Don't make a move even if the other producer-distributors offer you their pictures for nothing. Bear in mind that, if it were not for the step Mr. Myers and the other Allied leaders had taken, the attitude of these same producer-distributors would not have been different this year from that of last year. They will make every effort to retard the movement, hoping to break it up. But they will be hitting their heads against a stone wall, for the company that owns Radio Pictures cannot be frightened; they have unlimited finances at their disposal, and will no doubt back you up to the limit with good pictures; they will make as good pictures as anybody can make, and better. They have also the brains. Besides, they are sympathetic towards your cause. They

are clean-minded, uncontaminated, high-type gentlemen, —men who do business in a clean business way. Mr. David Sarnoff, Vice-President of Radio Corporation of America, and President of RCA Photophone, Inc., proved it at Chicago, when due to the machinations of antagonistic forces the Allied-Radio Pictures agreement was threatened to be wrecked. He took matters in his hands and assured Mr. Myers that the agreement would go through in the form usually passed by them. And it went through in that form.

And a further proof that Mr. Sarnoff and the other RCA executives intend to keep their word may be evidenced by the fact that, relying on Mr. Myers and the cause he represents, they have already signed agreements to spend millions of dollars in manufacturing the new type of Photophone instrument. There is very little profit in these machines, owing to the fact that the price they set for them at the suggestion of Mr. Myers is too low to enable them to make any profit. So you can see from this how these men keep their word—a thing almost unheard of in this industry.

Keep cool! Don't let any producer-distributor stampede you! You have suffered enough in the past. You have been threatened with an opposition theatre in your location unless you bought film paying the price they wanted you to pay. Some of you even saw a theatre put up because you refused their unreasonable demands. You are going to have peace of mind now, because it is unthinkable that the company you are affiliated with will let any one frighten you. They have the money to protect you—so much money, in fact, that they could buy them all out and not miss the money they will use. Just think of what may happen if upon learning that some producer-distributor threatened to build a theatre in your locality, the ire of this company's executives were aroused. Suppose for every theatre they build in the localities of franchise holders the franchise holders, backed up financially, build theatres in the choice locations of the threatening company, how long will they continue threatening you?

Don't buy any film unless you can buy it on terms that will make it possible for you to make a living. Radio Pictures and Tiffany will be able to deliver to you on the franchise pictures of the highest quality, and on terms satisfactory to you. Remember that the Radio Corporation of America has confidence in every one of you. They showed it when they agreed to make Mr. Myers a permanent member of the National Board of Appeals, which board will have the final word on disputes that concern franchise ratings. It is the only time that a company as big as the Radio Corporation of America, which is bigger than any other in the moving picture business, has treated you as an equal—the first time that you have been treated like human beings.

August 7, 1929, should be a holiday for you every year. It is the day on which you gained your independence. Don't let any one make you feel different. The honesty of an individual is proved by how much he trusts others. The honesty of the Radio Corporation executives has been proved beyond the possibility of any doubt when they accepted Mr. Abram F. Myers, your representative, to decide any franchise disputes that might arise between you and Radio Pictures, and when they went ahead and committed themselves to the extent of millions of dollars in ordering Photophone instruments on the mere assurance of Mr. Myers and of his associates that you know how to be grateful.

P. S. HARRISON.

"Hallelujah" (100% T-D) negro cast*(M-G-M; syn. 9,650 ft.; sil. not yet fixed)*

The box office possibilities of this picture are questionable for the reason that it is a drab picture, and makes one feel very unhappy when it is all over. It is misery, poverty, suffering, and filth in all its glory. But when one comes to judge it from an artistic point of view, one can hardly find words to praise it. The characters seem to be real human beings and not mere shadows, and the action creates the illusion that it is real life unfolded, not a make-believe; one's attention is held fairly tight in the first one-third and very tight in the remainder. The picture depicts negro life in the South—the prejudices of negroes, and their temptations. The scenes that show the negro-hero, who had become a preacher, preaching the gospel of God and moving his hearers into religious hysteria; those that show the hero baptizing in the river new converts, the baptized negroes, men and women, going into hysteria, are, from the point of view of direction and acting, a piece of art. The closing scenes, which show the hero chasing through the swamps the negro that had stolen his wife, eventually overtaking and choking him to death, are suspenseful in the extreme.

The story, which was written by King Vidor, director of the picture, shows a negro (hero) falling under the charms of a negro siren (heroine). She lures him into a crap game where he loses the proceeds from cotton belonging to his father. The hero becomes enraged and, seizing a revolver belonging to the confederate of the heroine, shoots it. One of the shots hits and mortally wounds his own brother. He takes his body home. Shortly afterwards the hero becomes a preacher. The heroine is present in one of his preachments. At first she mocks him but soon falls under his religious spell and begs to be saved. Eventually they fall in love with each other and marry, she giving up her paramour (villain). For a while, they lead a happy life until the villain finds her and sets out to win her. He eventually succeeds. Just as they are about to elope the hero returns. He becomes suspicious when he sees a buggy outside the house. But she is able to lull him to sleep. She follows the villain. At that moment the hero awakes and, realizing that his wife was deserting him, grabs a rifle and shoots. He hits his wife, wounding her mortally. She dies in his arms. The enraged hero chases the villain through the swamps, until he finally overtakes him and chokes him to death. He is arrested and sent to jail. He is paroled for good behaviour before his sentence expired. He returns to his parents, and to the woman to whom he was engaged before he married the heroine, and who kept waiting and hoping for his return.

Nina Mae McKinney takes the part of the heroine; William Fountaine that of the villain, and Daniel L. Haynes that of the hero.

The popularity of "Hallelujah" will, no doubt, prove "spotty"; where "Hearts in Dixie" drew good crowds, "Hallelujah" should draw, too. Where it did not draw, it will be a suicide to show it, unless the picture can be obtained at a price that will leave something for the exhibitor. (Time 1 hour and 47 minutes).

"College Coquette" (100% T-F&D)*(Columbia, Aug. 5; syn. 6,275 ft.; sil. 5,860 ft.)*

This is a co-ed college story, somewhat different from other stories of this kind that were filmed in the past. The heroine is presented as a vampire, with whom the boy students fall in love, because she leads them on, even though she does it only in a flirtatious spirit. There is some comedy, and some tender pathos. The pathos is generated by the sight of the young heroine doing a bit of self-sacrificing. In order to prevent her roommate and chum from keeping company with boy students, who held parties and drunk liquor, she goes to take the heroine away. The man she loved finds her there, upbraids her, and tells her that he no longer believed in her. This arouses considerable sympathy for the heroine. The love affair between the heroine and the hero (an athletic coach, is done pretty well; it interests).

The story was written by Ralph Graves; it was directed by George Archainbaud. Ruth Taylor is the heroine, and John Holland the hero. Some of the others in the cast are, William Collier, Jr., Jobyna Ralston, and Edward Piel, Jr. The recording is mediocre; but the disc version was shown at the Carnegie Playhouse. The film version should give much better reproduction.

It is not a picture for the intelligensia, but it should give a good entertainment to the picture-goers of the rank and file. (Time by my watch, 64 min.)

"Black Magic" (Silent)*(Fox, July 7; 5,835 ft.)*

This picture is "terrible." Any other big corporation would have shelved it rather than inflict punishment on its customers by forcing them to show it, causing their business to be ruined. But not Fox. There is not a single redeeming feature in it. It also seems as if the Fox Film Corporation has not yet awakened to realize that showing a big brute making up his mind to assault a young girl, who seems to be a mere child, is not entertaining. Even if it were handled in the most artistic way, the thought of it alone is enough to cause horror to the heart of every parent, particularly of every mother.

The picture unfolds in the South Sea Islands, where three derelicts, among whom is the heroine's father, a former doctor, make up their minds to rob the hero of his pearls, worth nearly one-half million dollars. In the development of the plot, it is shown that the three employ a native fakir to make the hero believe as if his black magic had brought death to the three. The three derelicts pretend as if they had committed suicide. But the hero is shown (conveniently) overhearing a conversation and upsetting the plans of the conspirators. The heroine's father is shot and killed by a bullet intended for the hero. The hero takes the heroine and her sister away from the island.

The plot has been founded on a stage play by Walter Archer Frost and Paul Dickey. George Seitz directed it. There is nothing the matter with the direction; the story is simply not "there." Josephine Dunn is the heroine, and John Holland the hero. Henry B. Walthall and Sheldon Lewis are in the cast. The picture is synchronized with music and sound effects. (Time by my watch, 63 min.)

Note: The contract title of this picture is supposed to be, "Vampire a la Mode," No. 14. But "Vampire a la Mode" is described in the Work Sheet as, "An intimate comedy, burlesquing the activities and personalities of motion picture studios." Irving Cummings is given as the director, and Marjorie Beebe and Tyler Brook as the stars. The contract gives Marjorie Beebe as the star. It is a long way from the moving picture studios in America to the South Sea Islands. But anything is possible with Fox. The picture is a story and star substitution, and you are not obligated to accept it.

"The Very Idea" (100% T-F&DN)*(Radio Pictures, Sept. 8; approx. 6,200 ft.)*

This picture has been founded on the stage play by William Le Baron, who now heads the Radio Pictures productions forces, in Hollywood. I did not see the play, but I understand that it was a very good one. But no matter how good it was, it could not be greatly better than the picture. At the Keith-Albee Theatre, in Brooklyn, where I reviewed it, the people kept roaring now and then, and laughing continuously. The story has been founded on the Eugenic theory theme, and although it is a "ticklish" subject, it has been handled so good-naturedly that there will be hardly a single picture-goer that will find anything in it that he might object to. The laughs come from the efforts of an advocate of Eugenics (the part taken by Frank Craven) to induce a chauffeur and a maid, who are supposed to be perfect human specimens physically, to marry so that the child they may have may be adopted by the hero, a married man, without children. Both hero and heroine loved children and since they had none of their own they wanted to adopt one. In the development of the plot, the hero, the heroine, the chauffeur and the maid are shown disliking even the thought of the proposal, but eventually they are "sold" by the advocate of Eugenics.

There are more laughs towards the end where it is shown that the hero and the heroine, who had been on a trip, returned to their home and made preparations to receive secretly the married couple with their child, their intention being to tell the world that the child was theirs. The laughs come from the fact that, as the chauffeur and the maid had refused to give up their child, the hero and the heroine make every effort to find a substitute, so that they might present it to their friends and to their gossiping neighbors as their own.

Richard Rosson directed the picture, in collaboration with Frank Craven, who looked after the stage end of it. The cast, in addition to Frank Craven, consists of Sally Blane, Hugh Trevor, Theodore von Eltz, Olive Tell, Doris Eaton, Allen Kearns, Adele Watson, and Oeanne de Bard. Both direction and acting are of the highest order. The recording is good and the lines are clear. (Time by my watch 64 min.)

"Big News" (100% T-F&D)*(Pathe, Sept. 7; sound 6,028 ft.; sil. not fixed)*

From the point of view of interest and suspense, "Big News" should compare favorably with the best murder mystery stories that have been produced for several years. In some points, it excels. For instance, there is a character who takes the part of a man that is never sober; the acting of this player is so good that one feels as if seeing a man in the flesh. His actions should make every one in the audience laugh. Every player, in fact, lives his part. The crabby old newspaper editor, who, although he is hard of hearing, pretends that he hears well, has been done with unequalled realism. The conversation, the "wisecracks," everything tend to make "Big News" stand out.

The story revolves around the murder of a newspaper editor. The hero is accused of the murder. But he is able to prove that the murder had been committed by the leader of bootlegger cutthroats; he had committed the crime in an effort to get hold of a woman's written confession, which would have incriminated him as a murderer.

George S. Brooks wrote the story. Gregory La Cava directed it. Robert Armstrong is the hero; he does excellent work. Carol Lombard takes the part of the heroine well. Some of the others in the cast are, Tom Kennedy, Warner Richmond, Wade Boeteler, Sam Hardy (the villain), Charles Sellon, and Robert Dudley. The recording is excellent. As a result the reproduction is clear.

"The Gamblers" (100% T-D)*(Warner B., June 29; syn. 6,611 ft.; sil. 4,844 ft.)*

There are points in it that offend logic, and points that will be laughed at by those connected with courts, but to the average movie-goer, "The Gamblers" should prove an excellent entertainment. There is tense suspense in some of the situations and fairly tense in others. The construction of the plot is good. As a result the interest never lags. There is also considerable comedy in it. The scenes where the hero returns to his home while the heroine's former sweetheart (impersonated by Jason Robards) is still in the house, having gone there to break the desk open to take away certain notes, belonging to him and to the other directors of the bank, with which he was connected, are tense. The directors had borrowed money from the bank with only their notes as collateral and the hero, representing the Department of Justice, was carrying an investigation with a view to securing evidence to prosecute them for the illegal use of the depositor's money. He was able to secure those notes by using one of the directors, who, in order to escape prosecution, had turned state's evidence.

The scenes where the heroine upbraids the hero, denouncing him for his efforts to convict the former sweetheart, condemning him for allowing his ambition for the Attorney-Generalship to make him shut his eyes to human feelings, are suspenseful and somewhat sympathy arousing. The scenes that show the hero declaring in open court that he did not have enough evidence to convict the directors, obtaining the dismissal of the case, his object being to show to his wife that he did not value the office of the Attorney-General more than he valued her love, win the good will of the spectators for the hero. The last scenes show the heroine, who had realized that her husband loved her, requesting the hero that he take her back. The hero is glad to do it.

The plot has been founded on the stage play of the same name by Charles Klein. It was directed well by Michael Curtiz. Loise Wilson is the heroine, and H. B. Warner the hero. Both do excellent work. In addition to Jason Robards, the following are some of the players in the cast; George Fawcett, Johnny Arthur, Frank Campeau, Pauline Garon, and Charles Sellon. The recording was done well and the lines are clear in the reproducing. (Time by my watch, 72 min.)

**MR. ABRAM F. MYERS HONORED
BY T.O.C.C.**

THEATRE OWNERS CHAMBERS OF COMMERCE gave Mr. Abram F. Myers a luncheon last week, at the East Ball Room of the Astor Hotel. Honorable James J. Walker, Mayor of New York City, honored him by being present, at the invitation of Mr. Charles L. O'Reilly, who is a friend of the Mayor of long standing.

Both from the point of view of numbers and enthusiasm, the luncheon will remain long in the memory of those that took part in it. More than two hundred and fifty exhibitors

were present; they attended in a desire to hear Messrs. Myers and O'Reilly explain the benefits of the Radio Pictures and Tiffany franchises.

Mr. Oscar Hanson, general sales manager of Tiffany-Stahl, spoke for his company, explaining the benefits of the franchise, and outlining their production policy for the current season. Mr. Lee Marcus, general manager of Radio pictures, outlined his company's policy and gave some inside stuff as to who are back of Radio Pictures, and what their plans are. Mr. E. E. Boucher, Executive Vice-President of R.C.A. Photophone, Inc., made an impressive speech, outlining the policy of his company, and predicting the possible developments in the industry along the lines of colored photography and of the wide screen.

Altogether it was a happy gathering, and all those that were present left with the impression that the industry has entered another era, the era of closer relationship between exhibitors and the other branches of the industry.

WARNING ABOUT FAKERS

The Chief of Police of Kearney, New Jersey, informs this paper that a certain William Wood, age about 50, height about 5' 7", weight about 145 lbs., wearing a small stubby mustache, is posing as the representative of a Chicago national advertising company, collecting money by a scheme which he calls, "Treasure Hunt."

Wood collects \$12 from each of a town's storekeepers, in turn being supposed to furnish them with a lock. He is also supposed to furnish one of the local moving picture theatres with 30,000 keys, which are to be distributed to the audience. He tells them that he who gets a lucky key by which he is able to open a lock will win a prize.

He has fleeced many people in and around Kearney. So you are warned to look out for him. If he should happen to come to your town to try to put over the same scheme, notify your local police.

I THANK JIMMY GRAINGER FOR THE COMPLIMENT

For several weeks I have been trying to get a release schedule from the Fox publicity department but I have not succeeded. They have given me the "run-around" like artists.

It is evident that Jimmy Grainger has given that department orders not to give me a release schedule.

The sight of a general sales manager of a corporation as powerful and as rich as the Fox Film Corporation giving his publicity department an order to refrain from giving me a release schedule of their feature pictures is the greatest compliment Jimmy Grainger could have ever paid to me and my paper. He admits, by implication, that its fearless policy against his company's mal-practices has been effective.

Just think of a four-page paper bending the knee of the great Fox Film Corporation!

Of course, it is neither I nor Harrison's Reports that has thrown God's fear into the heart of Jimmy Grainger and of the entire Fox Film Corporation; it is the loyalty and the faith of thousands of exhibitors that read it and follow its advice.

FOX 1929-30 RELEASE SCHEDULE

This schedule was received too late to be included in the last Blue Section. I was able to obtain it from a subscriber.

Aug. 18:	"Lucky Star."
Aug. 25:	"Why Leave Home."
Sept. 1:	"Salute."
Sept. 8:	"They Had To See Paris."
Sept. 15:	"Frozen Justice."
Sept. 22:	"Four Devils."
Sept. 29:	"Girl from Havana."
Oct. 6:	"Big Time."
Oct. 13:	"The River."
Oct. 20:	"Song of Kentucky."
Oct. 27:	"The Sky Hawk."
Nov. 3:	"Seven Faces."
Nov. 10:	"A Romance of the Rio Grande."
Nov. 17:	"Hurdy Gurdy Man."
Nov. 24:	Revue.
Dec. 1:	"Christina."
Dec. 8:	"New Orleans Frolic."
Dec. 15:	"Well-Dressed Man."
Dec. 22:	"Harmony at Home."

A SPY SYSTEM THAT RIVALS THAT OF RASPUTIN

The Hays organization has developed a spy system that has put to shame the spy system of the notorious Rasputin, the Russian monk. It is the Copyright Bureau.

Last month an upstate exhibitor was fined \$7,500. He had booked thirty M-G-M scenics, at a price of \$2.50 a day, one day each, and the Hays spy system asserted that all the thirty scenics were shown by this exhibitor an extra day.

In many cases small town exhibitors have other interest besides running a theatre. As a result, they hire a manager to run them. This exhibitor, being in the banking business, has a manager running the theatre for him. So if the pictures were run an extra day, he was unaware of it. But he was fined by the Copyright Bureau \$7,500 or \$250 for each supposed violation, although the manager asserted that only one picture was held an extra day.

But just because he is a banker, the Hays spy system took advantage of it and forced him to compromise for \$3,500; rather than lose his reputation, the exhibitor settled for that amount. In other words, he was "blackjacked" into paying that money.

Now, the laws of the land provide a punishment in accordance with the crime committed. Lawmakers always take care not to make the punishment out of proportion to the offense. But not so with the Hays spy system; they want every dollar they can get hold of. They think that by being cruel, they can stop an abuse for which they themselves are responsible to a great extent.

Another cruel case that has come to the attention of this paper comes from Cincinnati. On July 24, an exhibitor was informed by the Secretary of the film Board of Trade that the Paramount exchange had filed a claim against him for an alleged breach of contract and that they were demanding \$250 for each breach, under the Copyright Law. The exhibitor applied to the exchange for information; he wanted to know when and how he violated the Copyright Law. No specific charges were filed with the Film Board of Trade and he felt that he was entitled to know.

But the Paramount manager would give no information.

The case was set for trial. But in a later letter this exhibitor informs this office that it has been postponed until the middle of September.

"Several days before the date for the original hearing," he writes, "we received a 'phone call from a representative of the Copyright Bureau, asking for an interview. This man made all kinds of wild charges against us, showing that he didn't know what he was talking about; he dwelt upon the powers of the Bureau, and the severity of the penalties that had been inflicted elsewhere. His whole idea seemed to be to scare us and to force us into a settlement before the case was tried. He suggested a figure of \$2,500, which the Bureau would take, and gave us a day's time for an answer by 'phone to Pittsburgh, his next point of call. He offered over the long distance call to further reduce the amount to \$2,000. We did not, of course, accept his 'kind' offer.

"During our conversation he admitted that his proffer of settlement on his part was irregular, but gave as his reason that 'friends of ours in New York had reported that we bore a very good reputation, and wanted to help us. . . .'"

This exhibitor makes certain statements about the motive of the Bureau's representatives that are unprintable. They show the indignation of a man that has been threatened to be hauled before an inquisitorial body by methods that are an exact duplicate of the methods used by the Spanish Inquisition.

These are only two cases. There are many others.

When Mr. Hays came into this industry, there was a certain amount of tolerance on the part of the exhibitors towards him; they felt that he ought to be given a chance. Some exhibitors felt even more than tolerance; they felt a friendly feeling toward him. Today, Mr. Hays is disliked by ninety-nine out of each hundred exhibitors, just because of these tactics. The fact that he may not have approved of these tactics seems to make no difference; they are being practiced by his men, whose advice he takes in all matters concerning the industry. He reminds us of monarchs in ancient times, whose kingdoms crumbled to dust just

because of the tyranny practiced by those that surrounded them, even though they themselves often knew nothing about the abuses.

Unless Mr. Hays puts an end to this tyranny, his days in the motion picture industry are numbered. And no one will shed any tears when he exits.

SILENT PICTURES FOR 1929-30

I have been asked by several subscribers to inform them how many silent pictures will be produced during the 1929-30 season.

The question has not been made correctly. The inquirers should have asked how many silent pictures will be produced as silent, and how many will be made from sound negatives.

In a recent article in this paper it was stated that silent pictures made from sound negatives will, in the average, prove poor for the reason that the action is keyed up to sound values, a fact which makes the silent version flat. There are exceptions, but experience has proved that this is the rule.

Under the circumstances, an exhibitor is taking great risks to contract blindly for such pictures.

There will be between three and four hundred silent pictures made, but at least eight out each ten of these will be made out of sound negatives.

My suggestion to those of "silent" exhibitors that can afford to wait is to buy their silent pictures after they are made and are reviewed, either by them, or by this paper, or by any other reviewer that will give them reliable information. If they should take a chance, they might just as well make up their minds that they will be compelled to shelve at least fifty per cent of them. Because of the value of singing and of music, most of the talking pictures that will be made this season will be musical comedies. Almost every one of the "silents" made from negatives of such pictures will have to be shelved. A picture such as "The Desert Song," "Movietone Follies," and others of this sort, for example, have not much "silent" value. Of the dramas, at least fifty per cent of them will have to be shelved. The number of good pictures out of a single company's product, during the silent picture days, never exceeded fifty per cent. Imagine how much smaller the percentage of good pictures made out of sound negatives will be. Some of them will be so boring that they will drive picture-goers away.

The best thing "silent" exhibitors can do is, as said, to wait and buy them only after they screen them.

HOW TO JOIN ALLIED STATES

Several subscribers have asked me to advise them how they could join Allied States Association of Motion Picture Exhibitors.

I took this matter up with Mr. Abram F. Myers and was informed by him that the constitution of Allied States does not provide for direct membership. He requested me to inform you, if your state organization is a member of Allied States, to pay your dues to it, thus helping it carry on the good work; if your local organization is not an Allied member, to request its officers to call a convention with a view to putting it to the vote of the members whether it should join or not; if there is no organization in your state or zone, then to write to several exhibitors asking them to meet with you at a town to be agreed upon for the purpose of forming an organization and of joining Allied States.

Whatever action you may take, bear in mind that you will find aid, both material as well as sentimental, for the reason that the Myers idea is sweeping the United States and Canada from one end to the other like wild fire. Every exhibitor is showing an unprecedented willingness to join the movement or to do all there is in his power to bring about the reawakening of the independent exhibitor spirit. The meetings held everywhere, whether they are attended by Allied States representatives or not, are like Billy Sunday revivals.

Another way of contributing to the complete success of the independent movement is for every one of you to buy a Radio Pictures and a Tiffany-Stahl franchise, and to put in your application at once for a low price Photophone instrument. In this way, you will prove to the Radio Pictures, to the RCA Photophone, and to the Tiffany executives that the confidence they placed in your leaders was not misplaced.

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THE HAVOC "DUPED" SOUND HAS WROUGHT

The appeals for help this office receives daily from those that have been compelled to run pictures the talk of which could not be understood by their patrons are heart-rending. There was a time when the exchangemen made them believe that the fault lay in the instrument they used, but since the appearance of the article, "Sound 'Duping'—What Is It and How It Affects You," they learned that the fault lay not in the instrument, for in certain cases reproduction is extremely satisfactory. They now know it is in the recording. They realize that an instrument cannot reproduce well where the pictures of one concern are shown and poorly when the pictures run belong to another concern.

Columbia, Fox, Metro-Goldwyn-Mayer, Paramount Famous Lasky, Pathe, Radio Pictures, Tiffany-Stahl, United Artists, and Universal record the sound on film first and transfer it to the disc afterwards. In other words, the disc sound of these concerns is duped.

Warner Bros. record on disc, sometimes on film. When they record on film first, they transfer the sound to the disc by "duping." The sound of "Madonna of Avenue A" has so been recorded; it was first recorded on film and afterwards transferred to the disc. This is evident by the fact that in the talking sequences there are short silent patches, a thing which cannot be done in original disc recording. I have been informed that this company is recording on film also an entire all-talking picture and then it transfers the sound on the disc.

I have no way of telling whether First National uses the same system as Warner Bros. or not; they are supposed to record on disc.

Transferring the sound from a variable width (Photophone) sound track is not, of course, so bad as transferring it from a variable density (Movietone) sound track, unless it is done by inepters, for the reason, as said in these pages before, that defects on the variable width sound track are not so pronounced as are the defects on the variable density sound track.

Radio Pictures, Pathe, Tiffany-Stahl, and Mack Sennett employ the variable width (Photophone) sound track. All the others use the variable density (Movietone) sound track.

With proper guarantees, one may contract for the good disc talking pictures of the concerns that employ the variable width sound track, the sound of which has been duped, the guarantees to consist of cancellation of the contract in case the duped sound does not reproduce clearly. But it is highly dangerous for you to contract for the duped sound disc talking picture versions of concerns that use the variable density sound track.

As said before, the future of the talking picture will depend on clarity of talk.

The acoustics of the theatre must, of course, be ideal, for if they should be poor the best of reproduction cannot make the actors understood.

But the old theatres can only be "doctored" up: they cannot be radically changed. A drapery here, a drapery there, some acoustic plaster, some canvass to cover up domes and the like, some felt in certain spots—these are the best means of "doctoring up" a theatre with. They help to deaden the reverberations.

But however excellent a theatre's acoustics, and however good the talking picture instrument, clarity of talk cannot be obtained with poorly duped sound. And in eight cases out of each ten, the duped sound is poor. The evidence of it is the fact that complaints about poor records come from everywhere. The picture business has, in fact, been ruined because of such records.

There is no way whereby an exhibitor can be sure that the sound he gets on disc is of excellent quality if it is transferred from the film by duping. The distributors will not tell you. When some of them permit their inspection departments to scrape the old labels off the discs and to paste on new ones in an effort to make you believe that they are giving you "virgin" records, you may realize how hopeless it will be for you to depend on the distributor's telling you when the duped sound is poor.

There is, as it has already been said, only one way out of this—by scrapping the disc.

The scrapping of the disc in favor of the film will improve the quality of sound. In addition, it will do away with the extra operator as well as with the express charges for the discs, which amount to no little at the end of the year.

Those of you who contracted for disc sound talking pictures without knowing that such sound was to be duped are entitled to have your contracts cancelled.

If the distributor should refuse to accept a cancellation and threatens to take you before the arbitration board (wherever one exists), you should consult a lawyer with a view to bringing action in the courts on the ground of fraud. If an arbitration board should render a decision against you for refusing to carry out the terms of a contract for pictures the sound of which is duped, make the arbitrators parties to the action. Remember that an arbitration board is barred by law to try a criminal case. And when you refuse to appear before the board on the grounds that the sale of those pictures was made fraudulently but the board tries your case with you absent just the same, they may make themselves liable to criminal prosecution.

Don't let them ruin your business by forcing you to show talking pictures with "duped" sound. They have wrought enough havoc to your business already.

IT'S TRUE BUT—

Some of the distributors, in order to justify the high prices they charged for talking pictures last season, tell the exhibitors that they were compelled to do so on account of the fact that they spent millions of dollars in sound equipment; they say that it was the only way for them to get out "even."

It is perfectly true that the producers spent several millions of dollars in sound equipment, but they tried to write the cost off in one year if one is to judge by the rentals they charged you last year, even though they actually wrote off on their books only one-tenth of the cost; they write off such things in ten years.

Last year the prices they charged you were so big that they made not only every dollar they put into sound equipment but a profit besides. And that is the reason why the exhibitors are justified in paying this year silent prices for sound pictures, with no score charge.

While we are talking about score charges, it might not be out of place to inform you that, since the Allied leaders signed the agreement with Radio and Tiffany for the franchises without a score charge, there is no longer any talk about score charges. No one dares mention it to an exhibitor for fear that he will be tarred and feathered.

Score charges are dead! And Harrison's Reports hopes that no exhibitor will be foolish enough to revive them. They did enough harm while they were alive. They should now be left to rest in peace where they were buried.

"The Girl From Havana" (100% T-F)*(Fox, Sept. 29; syn. 6,118 ft.; sil. not yet fixed)*

An excellent crook-detective melodrama, starting in the United States and ending in Havana. The interest is kept alive from start to finish. There is a little comedy here and there, but the predominating element is suspense. In the closing scenes, there are plentiful thrills, too; these are caused by the fact that the crooks had suspected the heroine as being a United States Government operative and abducted her. Thrills occur also in the opening scenes, where a jewel robbery is shown:—

A dog enters a jewelry store. The fear that he was mad sends everybody helter-skelter. A young man (hero), jumps on the dog and holds him. The dog soon escapes. Later it comes to light that the "mad dog" was part of the scheme concocted by some crooks to rob the store. When the jewels are found missing the hero is discharged as an incompetent clerk. He goes home and pulls out a pouch out of the dog's neck and takes the jewels out of it. He then delivers them to his confederates, who were waiting for him. The gang leave for Havana to sell the jewels. The United States Secret Service is informed that the gang of these dangerous crooks were on their way to Havana and employ the heroine to get the "goods" on them. She waits at Balboa for the boat from San Francisco, boards it, and poses as an actress. She soon becomes acquainted with the crooks. The heroine has no difficulty in convincing the crooks that she is a crook herself. She induces them to take her "in." The crooks make her one of their members and she induces them to escape with the jewels from the boat in the motorboat of a supposed confederate of hers in Havana. The confederate is really a U. S. Secret Service man. While in the motorboat the crook leader suspects that he and the heroine are Secret Service Operatives and at the point of a gun forces them to raise their hands. A struggle ensues during which the leader escapes and, abducting the heroine, rushes to his lair in the waiting automobile. The hero follows them because he knows that her life is in danger. During the struggle that ensues in the villain's lair it comes to light that the hero was not a crook, but the son of a jeweler who had been murdered by one of the gang, and that he had joined them in an effort to find out who had murdered his father. He delivers the murderer to the police. Hero and heroine embrace; they had learned to love each other.

John Stone and Edwin Burke wrote the story. Benjamin Stoloff directed it. The voices are fairly clear. Lola Lane is the heroine, Paul Page the hero, Kenneth Thompson the crook leader. Natalie Moorehead, Warren Hymer, Joseph Girard, and others are in the cast. (Time by my watch, 65 min.)

"Dark Streets" (100% T-D)—with Jack Mulhall*(First Nat., syn. 5,416, Aug. 11; sil. 5,514, Sept. 8)*

This is an unusual crook melodrama in that it is the first dual role talking picture that has been made. It has been produced so well that one thinks Mr. Mulhall is surely two different persons. The synchronization is perfect; and so is the timing. In addition to having been produced well, it is also a very good entertainment in that one is held in tense suspense almost all the way through, and one's sympathetic interest is aroused for the heroic characters. The suspense comes from the fact that the hero's life is placed in danger; he had been warned not to go on his beat on a particular night and he is shown as disregarding that advice and going. The story is given a new twist in that the villain-brother knocks his hero-brother on the head and makes him unconscious, then takes his policeman's uniform, puts it on, and he goes on the beat as if he were the hero-brother. He takes part in the shooting, killing some of the crooks, but he is shot and killed by them. Up to this point the audience as well as the characters think that the man who had taken the part in the shooting was the hero-brother, and it is not disclosed that it was the villain-brother until he is shot and lies on the ground mortally wounded. There is a good love affair interwoven in the plot, the other party to it being Lila Lee. There is considerable comedy, too, most of it being contributed by Aggie Herring, who is presented as a woman who loves gabbing.

Jack Mulhall does excellent work as the twin brothers. Lila Lee is a good heroine. Will Walling, Maurice

Black, Earl Pingree and others are in the cast. The voices are clear. The direction is by Frank Lloyd. (Time by my watch, 58 min.)

"The Great Power" (100% T)—with Minna Gombel*(State Rights)*

Poor! Metro-Goldwyn-Mayer originally intended to distribute this picture but after pulling it off the Capitol after the first day, they got rid of it. The recording is so poor that most of the talk is unintelligible. The dialogue was lifted bodily from the play, but it tires one trying to catch the lines. Joe Rock directed it from the stage play by Myron Fagan.

The hero's father (by adoption) is a cruel financier; he crushes everyone, and makes bitter enemies. The heroine's adopted father is his former partner whom he ruined. She is trying to save her brother from further disgrace at his hands. She makes the hero fall in love with her so that she could use him to secure papers his father was holding in his safe. The heroine's jealous sweetheart (villain), who was a tool of the financier's secretary, came to expose the heroine, and in the fight that ensued, he is killed. Hero and heroine each confess to the murder, but the secretary is found guilty of having committed the murder. The heroine learns who her father is. She also re-wins the hero, whom she really loved. (Time by my watch, 90 min.)

"Woman Trap" (100% T-F&D)*(Par., Sept. 28; syn. 6,168 ft.; sil. not yet fixed)*

Although "Woman Trap" may be classed as a good crook-melodrama, and may give satisfaction to those who will see it, it is not an extraordinary picture, for the reason that some of the acts of the heroic characters are not sympathy arousing. For instance, the heroine is shown as scheming to hurt the hero; he, a captain of the detective force, had sent her brother to the chair and she, although she loved him, wanted to strike at him where it hurt the most—through his young brother. She is shown actually carrying out her plan. Another unpleasant happening is the blinding of his mother by the hero, the result of an accident. There is suspense throughout the picture, the result of the efforts of the hero to round up a gang of crooks, in this manner putting his life in danger. The sight of the young hero's brother, whom the hero loved, turning out a criminal is not over-pleasant either. But the rank and file of picture-goers may not find any fault with it, and may even consider it an excellent entertainment.

Edwin Burke's play, "Brothers," furnished the plot. It deals with a hero, detective in the police force, who is too kind-hearted to be "rough" to the young folk in his section. As a result some of them go bad. Even his own young brother, whom he was extremely fond of, turns into a crook. The father of the heroine goes to the hero's home and strikes the hero's brother on the head with his cane; he believed that it was that young man who had been leading astray his young son and wanted to make him desist. When the hero attempts to intervene the old man strikes him, too. The hero picks up a bottle containing a poisonous cleaning fluid and hurls it. Some of the liquid enters his mother's eyes and blinds her for life. The hero turns into a hard-boiled detective and is after the crooks hard. He sends to the chair the heroine's young brother. The heroine becomes bitter and plans to hurt him by striking him where it hurt the most. The hero's brother had disappeared. He thought he had murdered a United States Secret Service man, when he did not. Soon he writes to the hero, under an assumed name, that he was in jail, charged with another murder. Shortly afterwards the young brother escapes from jail and returns to his home, longing to see his blind mother. The heroine chances to see him. He gives her the location of his hiding place and makes her promise him that she would visit him that night. The heroine telephones to the hero to meet her at the place where the young man was hiding, telling him that there he would find one of the gangsters. The heroine visits the young man. But when she finds out that he had committed a murder, she realizes that she had put the hero into the predicament of arresting his own brother and feels sorry for it. She tries to head the young man off but it is too late. The young man shoots and kills himself as the only way out, but not until he admonished the heroine and his brother to stop quarreling and marry.

"The Gold Diggers of Broadway" (100% T-D)

(Warner Bros., Oct. 5; syn. 9,122 ft.; sil. not fixed)

Opinions will differ as to which of the two pictures, "The Gold Diggers of Broadway," or "On With the Show," will make the greatest hit. Both are all-technicolor films. And both are excellent entertainments.

There is no plot in "The Gold Diggers of Broadway"; or, whatever plot there is, it is flimsy. But this plot is inconsequential; it is the beautiful colors, which are enhanced by brilliant camera work, the melodious music, the dancing and the singing and the occasional joke "cracking," that counts in this picture. Some of the scenes are enchanting; they mingle color and lively music. Most of the comedy is contributed by Mr. Albert Gran, who seems to weigh more than two hundred and fifty pounds, and by Miss Winnie Lightner, who makes repeated efforts to say, "I am the spirit of the ages and the progress of civilization," and repeatedly failing, mixing her words. As the final scenes fade out, the voice of Miss Lightner is heard, vainly trying to repeat the lines correctly. The following songs are sung: "The Song of the Gold Diggers," "Painting the Clouds With Sunshine," "Tip-Toe Through the Tulips With Me," "In a Kitchenette," "Keeping the Wolf from the Door," and others. It seems as if "Tip-Toe Through the Tulips With Me" is destined to make a hit.

The plot has been founded on Avery Hopwood's "Gold Diggers"; it was directed by Roy Del Ruth and Larry Cebellos. Nancy Welford, Conway Tearle, Ann Pennington, William Bakewell, Nick Lucas, Helen Foster, Lee Moran, Julia Swain Gordon, Armand Kalitz and others are in the cast. The voices are clear.

"The Gold Diggers of Broadway" does credit to the motion picture art. (Time by my watch, 98 min.)

"The Awful Truth" (100% T-F&D)—with Ina Claire

(Pathe, Aug. 10; syn. 6,129 ft.; sil. not set)

"The Awful Truth" may prove acceptable to big key-theatres, because of the stage fame of Ina Claire; but is doubtful if it will prove of great value to exhibitors in the "sticks." There isn't a great amount of human interest aroused, for the reason that the action almost all the way through is quarrels between the hero and the heroine, husband and wife. The hero is jealous of his wife and misinterprets her meeting other people, so jealous in fact that matters are brought to the point where the two are to be divorced. An interlocutory decree is granted, to be made permanent within a year. The two still continue to quarrel. The heroine decides to marry another man immediately after they are divorced, but the hero so loves his wife, although he does not tell her, that he enters her apartment at night time. When the heroine discovers him she orders him out telling him that should the court be informed that they were found together in the room alone the divorce proceedings would be nullified. There is more quarrel in the room, but there is an eventual reconciliation.

The story is by Arthur Richman. Marshall Neilan directed the picture. The direction and acting are first class, but the story material is weak. The recording was done well and the lines are clear. Henry Daniel takes the part of the hero. Theodore von Eltz, Paul Harvey, John Roche and others are in the cast. (Time by my watch, 68 min.)

"The Argyle Case" (100% T-D)—with Thomas Meighan

(Warner Bros., Aug. 17; syn. 7,794 ft.; sil. not set)

This is Mr. Meighan's first talking picture, and if one is to judge by the work he does in it, it will not be the last one; his work as a master detective, or, to be exact, a criminologist, is excellent. His voice registers well, and his lines are clear.

"The Argyle Case" is a mystery melodrama, in which Mr. Meighan, as the hero, is charged with the task of detecting the murderer. There is suspense all the way through, in that it is intelligently kept secret as to who the murderer was. Fingerprinting and dictaphoning are resorted to effectively, even though these are no longer new.

In the opening it is shown that Argyle was murdered in the library at his own home, after an argument with

an unknown person. The police are unable to find the murderer. The young son of the murdered man employs the hero to solve the mystery. The hero proceeds to solve it. He discovers some fingerprints on the desk in the side opposite to the one the murdered man was sitting at the time of the murder. Examination of the fingerprints discloses the fact that they were those of a woman. This gives him a basis to work on. By deduction and information, he is eventually able to clear the heroine, adopted daughter of the murdered man, who was suspected of the crime because of the fact that the murdered man had willed all his fortune to her. He also finds out that the murder had been committed by an escaped convict, an expert counterfeiter; he had been making five hundred dollar bills, and been using Argyle to pass them. When Argyle discovered that the bills were counterfeited, he remonstrated with the counterfeiter and threatened to give him away to the police. The counterfeiter killed him to prevent him from carrying out his threat.

Lila Lee takes the part of the heroine well. Zasu Pitts is excellent as the talkative woman. H. B. Warner is good as the counterfeiter. Bert Roach and Wilbur Mack contribute no little comedy as the assistants of the hero. The comedy comes from the efforts of each to show how "dumb" the other was.

The plot has been founded on the stage play by Harriet Ford and Harvey J. O'Higgins. Howard Bretherton directed it well. The talk is clear. (Time by my watch, 84 min.)

MISREPRESENTATION

Sam Eckman, who represents Metro-Goldwyn-Mayer in England, is quoted in the Cinema of August 16 as having said the following:

"If you go back in motion-picture history, you will find that what America does to-day, England does a little later. What is the situation in America with regard to the hire of 'talkies'? Exhibitors as a whole are demanding percentage terms on sound films. After a lengthier experience in 'talkies' than we have had over here they have come to the conclusion that the only equitable way is a sharing arrangement."

When Sam Eckman made this statement he knew that he was not stating the facts correctly, for if any one in the American renters' side knows what is going on in America among the organized exhibitors Eckman is one.

For the benefit of the British exhibitors, who seem to be suffering from the same ills as their American brethren, HARRISON'S REPORTS will endeavor to clarify the matter, so that in the future no American film renter may say to the British exhibitors that the American exhibitors favor sharing terms.

The exhibitors Mr. Eckman meant were the followers of Motion Picture Theatre Owners of America.

But this organization no longer represents independent exhibitor sentiment. Due to the machinations of Will H. Hays, it has fallen into the hands of the producers. The money that is required for its upkeep is put up by the producers through their affiliated exhibitor interests.

When Mr. Abram F. Myers, president and general counsel of Allied States Exhibitors Association, which is now the only recognized national independent exhibitor organization, called its Washington meeting to discuss means and ways to bring relief to the independent exhibitors from the crushing film rentals of talking pictures, the Hays forces became panicky. They called in Washington that tricky counter-conference, consisting of exhibitors that took their orders from Mr. Hays. A committee of such exhibitors visited New York by pre-arrangement with Mr. Hays and had a conference with a committee representing the producer-distributors. At this farcical conference the exhibitors, listening to their master's voice, endorsed percentage. Such an endorsement, however, represents the sentiment, not of the independent exhibitors of the United States, but only of these few influenced exhibitors. And Sam Eckman knows this better than any one else.

HARRISON'S REPORTS desires to make it known to the exhibitors of Great Britain and of the entire British Empire that the American independent exhibitor sentiment can be expressed only by Mr. Abram F. Myers, for he is the only recognized national leader of the American independent theatre owners.

PROFIT FROM THE PRESENT BUT PROVIDE FOR THE FUTURE

The 1929-30 Warner Bros. Work Sheet, or play-date sheet, has a section headed "Weekly House Expenses."

Under this heading are classified the different expense items, such as, rent, weekly depreciation of sound equipment, salaries of employees, newspaper and other advertising, short subjects, and other items, even to messenger expense.

From the looks of this percentage play-date sheet one would think that Warner Bros. have an interest in the business of all those that play their pictures.

This is the only business where such a thing as this is possible. It seems as if it makes no difference as to who risked the investment in the brick and mortar; Warner Bros. is your partner when you play their film. They are, in fact, better than partners of yours; they have the best of it in the partnership, for you guarantee them against loss, no matter what your loss may be, while they guarantee you nothing.

The tendency among all producer-distributors is to follow the Warner Bros. lead; and if things are to go on the way they have been going, we shall soon come to the point where the distributors will permit you to enter your theatre by sufferance, with the understanding that you are to be merely their agent, unless you put an end to their high hopes by buying a Radio Pictures and a Tiffany Pictures franchise. Such franchises will make you the master of your own business.

The film market has been smashed wide-open since the Allied States Association, under Commissioner Abram F. Myers, made the franchise arrangement with these two companies.

Those interested in discrediting the franchise so that they might raise prices and regain control of the film market situation are spreading the insidious propaganda that it is unnecessary for you to buy a franchise, because the prices are coming down anyway. This is another desperate political trick, probably hatched in the quarters of the Hays organization, which is doing everything in its power to cause a breach between Radio Pictures and Tiffany Pictures on the one hand, and the Allied leaders on the other.

Remember that the franchise brought the prices down and the franchise is what will keep them down. A franchise from Radio and Tiffany, the only two companies that have shown real interest in the small exhibitor's fate, is an insurance against the bringing back of the high prices. It is also an entering wedge in the efforts of your leaders to get a more equitable uniform contract and a fairer arbitration.

Let the franchise plan fail and you will never again get started on any plan to protect your brick and mortar investment.

It is hardly necessary for any one to remind you that the Radio Pictures and the Tiffany Pictures franchises are the only deals for independent exhibitor relief that have the approval of Allied States Association. Other proposals may or may not have merit; you will have to decide that yourself, after the most careful investigation.

LET MR. HAYS SHOW VISION FOR ONCE!

Pete Woodhull has resigned as president of M. P. T. O. A.

Whether Pete was requested by Mr. Hays to resign, as it is widely rumored, or things became a little too hot for him after his Washington fiasco and so he decided to exit from the picture, I don't know, for, as far as the independent exhibitor movement is concerned, he did not, and cannot, influence it in the least. The Allied States Association is bound to grow, no matter what those that attached to M. P. T. O. A., the exhibitor branch of the Hays organization, may do.

The resignation of Pete Woodhull, however, gives Mr. Hays an opportunity to show that he is a statesman and not just a politician. If, for example, he were sincere, he would select as head of M. P. T. O. A. an exhibitor from the affiliated ranks. There are many capable persons he could appoint to such a position. If he should do so, he would show to the entire industry that he has courage, and that he wants to be practical instead of merely a sloganist.

With an affiliated exhibitor at the head of Motion Picture Theatre Owners of America, an ideal condition would be created, for M. P. T. O. A. would then be

clearly defined as an affiliated exhibitors' organization, with which Allied States Organization would, no doubt, be willing to co-operate, a thing which it now refuses to do, no matter how hard Mr. Hays tries to shove it down the throat of the independent exhibitors as an independent exhibitor organization. Thus the condition Mr. Hays had in mind to create, that is, exhibitors organized one hundred per cent, would be attained.

If the two exhibitor groups were so organized, nothing could prevent them from fighting shoulder to shoulder in matters that affect the interests of both groups.

But will Mr. Hays grasp this opportunity to make such a decision? It takes a big man to take such a step, and Mr. Hays could prove to us that he is big if he would take it.

WHY THE SERVICE CHARGE?

Many exhibitors thought that the service charge Western Electric was making to those of exhibitors that bought its talking picture instrument, was nothing but graft, an attempt to profiteer out of this invention. I myself thought so.

While it is true that the amount Electrical Research Products was charging for service was too high, experience has taught me that for the exhibitor that has a talking picture instrument to attempt to run it without a service man it is highly dangerous. Many an exhibitor that bought an independent talking picture instrument found himself compelled to shut down for an evening or more because he did not have a mechanic to call upon to repair the instrument.

It is my opinion that it is better for an exhibitor not to install an instrument at all than to install one without the services of an expert near at hand, or within calling distance.

RCA Photophone, Inc., is going to charge for the Type G instrument \$15 a week the first year, and \$12 a week afterwards.

EXHIBITOR COMMENT ON THE ARTICLE ABOUT THE HAYS SPY SYSTEM

The letter reproduced herewith comes from a New England State. I am sorry that I cannot disclose the exhibitor's name, but it is interesting to note the reaction of the exhibitors from the article about the Hays spy system, which was printed recently:

"Just a word of praise for your fearless little paper that has 'bent the knee' of the Fox Film Co., and I should judge from its columns, of some of the other buccaneers also.

"Your article, 'A Spy System That Rivals That of Rasputin,' was of special interest to me, as I have just had some experience with it. But, thank God, they could not find anything to get their talons on, although they tried to bleed me for a sucker. If I had been foolish enough to pay them the money they demanded, they would have taken it and laughed at me for the helpless fool that I would have been.

"No other business in the world is so honeycombed with rotten deals, distrust and cut-throat business methods as the picture business. I think it is time the Government showed some of these piratical multimillionaires where they get off.

"Your paper is a gold mine of information and an arsenal of ideas for the small exhibitor to fight with.

"I wish you luck. . . ."

WHERE ARE THE ADJUSTMENTS THE PRODUCER-DISTRIBUTORS PROMISED?

Hardly a day goes by unless I receive several letters from exhibitors informing me that, having believed the producers' statement, issued through Sidney R. Kent, to the effect that they would get adjustments if they were oversold during the 1928-29 season, called on the exchanges and were flatly refused any adjustment, although they could prove that they were oversold.

It should not take much argument on the part of an exhibitor to convince an exchangeman that he overpaid: at least nine out of each ten exhibitors overpaid.

But the readjustment pronouncement of the producers was one more of their efforts to hoodwink you. It was given out under pressure; they got frightened by the strong activities of the Allied States Association, and were forced to take such an action.

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The Rights of the Holders of a Warner Franchise

The Warner Bros. franchise defines "Road Show" pictures as follows:

"(a) Road Show Motion Picture Productions are any motion pictures released by the Distributor which shall be exhibited in the main theatrical district of New York, Chicago, and one other Key point on a pre-release basis, that is to say, on the basis whereby only two shows a day are given, at advanced admission prices, and such exhibition in the main theatrical district of New York City shall be for not less than four consecutive weeks.

"(b) Special Motion Picture Productions are any motion pictures which shall be nationally designated and handled by the distributor as a special motion picture.

"(c) All feature motion pictures released by the Distributor not included under the classifications (a) and (b) above shall be deemed regular motion picture productions."

At the time the franchises were sold representations were made to some of the exhibitors, perhaps to them all, that there would be thirty-five pictures released by Warner Bros. during the 1929-30 season, and that out of these about three or four would be Road Shows, about eighteen, regular program pictures, and the remainder would be Specials, or Super-Special Productions.

Instead of "three or four" Road Shows, however, they are now submitting to the franchise holders a list of thirteen.

They scheduled for release forty-one productions in all this season. Of these, they have designated eight of them as "Special Productions," three of them (the Rin-Tin-Tin) merely as "Warner Bros. Productions," three as Road Show attractions, and twenty-seven as "Super Special Productions."

Out of the twenty-seven Super-Specials, they have singled out ten, which they have designated as Road Shows, which, along with the three they are selling as Road Shows outright, will make the thirteen Road Shows.

The following are "Special Productions": "Say It With Songs" (252), and "Mammy" (253), with Al Jolson; "General Crack" (254) and another (255, title to be announced later), with John Barrymore; "Sacred Flame" (283), "Dumbbells in Ermine" (284), "Agony Column" (285), and "Sweet Kitty Bellair" (286).

Nos. 287, 288, and 289 are The Rin-Tin-Tin pictures Nos. 1, 2, and 3.

"Noah's Ark," "On With the Show," and "The Gamblers" are the three that are being sold as Road Shows outright.

The following are the ten Road Shows that they have already picked out in accordance with the information supplied by exhibitors:

"Say It With Songs" (252) and "Mammy" (253), with Al Jolson; "General Crack" (254) and No. 255 untitled, with John Barrymore; and from "Show of Shows" (No. 256) to "Hold Everything" (No. 262).

It seems as if Warner Bros. are going to Road Show every one in the "Super-Special Productions" list. That is what one gathers from the fact that the first ten from that list have been announced to some franchise holders as Road Show attractions.

But, for Warner Bros. to Road Show every one of the list in the "Super-Special Productions" Contract would be in violation of the Road Show clause in the franchise, which states that a Road Show picture is a picture that has been shown in New York City and in Chicago at Road Show prices, two shows a day. They have already violated this clause in the case of "Hottentot" and "The Argyle Case," for these pictures have not been shown in a Road

Show house in this city, at Road Show prices, not even for one day, let alone for four weeks, as the contract calls for; they were shown at the Strand Theatre, which is a regular house, and in which less than one dollar is charged for the majority of the seats. The prices were not "advanced," in accordance with the Road Show provision, printed in the first part of this article, and the pictures were not shown for four consecutive weeks, as provided for in the contract. For this reason these two pictures cannot be classed as Road Show productions. On the other hand, "Honky Tonk" has been shown at the Warner Theatre, this city, at Road Show prices. But this fact does not make it a Road Show Production; it hasn't the quality in it, and any attempt on the part of any of you to show it at advanced admission prices will result in the harming of your business. In contrast with this, "On With the Show" and "The Gold Diggers of Broadway" are first-rate Sound Road Show attractions, and are entitled to an increase in your admission prices.

This office has been informed that a notice of play-date availability has been sent to some exhibitors for "Hearts in Exile." This picture has not yet been shown in this city at Road Show prices, and if the franchise holder should accept the notice and in regular form submit play-dates, he would place Warner Bros. in the position of breaching the contract. In such an event Warners would be liable to damages.

At this time it might not be out of place to say that "On With the Show" and "The Gold Diggers of Broadway" are not worth very much as silent attractions. Few sound musical comedies are suitable silent entertainments, for the reason that music and singing are such pictures' greatest assets. On the other hand, a picture such as "Hottentot" should prove just as entertaining as a "silent." The same thing may be said of "The Argyle Case." "Honky Tonk" should be a fair "silent," for the reason that comedy of the subtitle plays a great role, and there is some heart interest in some of the action.

If you have a spare copy of a Warner Bros. franchise send it along.

FROM AUSTRALIA

The following are extracts from a letter received from Mr. Clarence Thompson, of Olympia Theatre, Kingaroy, Queensland, Australia:

"HARRISON'S REPORTS occupy a very prominent place in my office, and are greatly in demand whenever any film salesmen are around. I have to go all over their pictures to please them, but always see that my 'Reports' are safely on the shelf when they are packing up. I have mine bound in book form, two years in each book, and they are the best thing I know of to settle arguments."

This shows that human nature is the same the world over; exhibitors in such a remote part of the globe feel the same towards HARRISON'S REPORTS as they do in America, Canada, Great Britain, Sweden and other parts of Europe.

TWO MORE ORGANIZATIONS UNDER THE ALLIED STATES BANNER

Two more zone organizations have joined the ranks of Allied States. M. P. T. O. of Western Pennsylvania, at a meeting held last week, where more than one hundred exhibitors were present, joined the Allied unanimously.

Oklahoma is the latest recruit; it joined the ranks last week.

There will soon be an Allied States organization in every zone. It is in the air!

"The Lady Lies" (100% T-F)

(Param., Sept. 21; syn. 7,004 ft.; sil. not determ.)

Of the talking picture dramas that have so far been released, "The Lady Lies" is the most powerful. From the point of view of direction, acting, and plot construction, in fact, it has no dramatic equal so far. No exhibitor has to make any effort to convince the picture-going public that Claudette Colbert does a rare piece of acting, that Walter Huston handles his part with the same kind of skill as he handled his part in "Gentlemen of the Press," that Charles Ruggles is an actor in every sense of the word, that Betty Garde does an unusual piece of acting, and that every other member of the cast does his or her part in a masterly fashion. While they are all good actors, however, much credit for the good acting belongs to Mr. Hobart Henley, the director; undoubtedly it is the finest piece of directorial work that he has ever done. The plot construction is highly intelligent. For instance, when the two children, a boy and a girl, learn that their father had been living with the heroine as man and wife, they are shocked, and decide to put an end to their relations. The average author would have made the children "flop" over to the heroine at their first meeting. But not so in this case. Even at the second and third meetings the children insist that the heroine give up their father and go "back to the gutter where she belonged." It is not until the heroine's woman friend tells them that it was the heroine that remembered them every Christmas, the heroine that had been sending them presents, that the two children change their hate into love. Children are selfish by nature. So when they learned that the presents came from the heroine, they became her friends. The first meeting of the heroine and of the hero's two children is highly dramatic. There are other situations that are strongly dramatic. One of such situations is where the heroine is shown being told by the hero that they must separate. Miss Colbert's acting in that situation is a piece of art. It is not, of course, a Sunday School picture, for it deals with a sex problem, but the most confirmed purist should find good in this picture—it teaches sincerity instead of hypocrisy. But though it is a sex play, the director has handled it with a delicate hand. The voices are fairly clear, but at times they are resonant.

The story deals with a wealthy hero, who meets a young saleswoman and becomes attracted not only by her beauty but also by her character. They establish a friendship, which in time leads them to live together without being married. They are happy in each other's extreme devotion. A relative visits the hero and brings his (the hero's) children along. When this relative learns about the hero's relations with the heroine, with a puritanical spirit he proceeds to bring the hero back to moral righteousness. The hero resents the insinuations he made about their relations with the heroine. The children overhear the conversation and, although the boy upbraids his uncle, they take it upon themselves to make their father break with the heroine. Much unhappiness results by their interference. At one time the hero informs the heroine that they had better separate. But eventually they are married. When the children learned more about the heroine, they came to love her and insisted that she and their father marry.

The closing of the picture is marked by an episode that made everyone in the audience laugh. Just

as everything is patched up between the hero and the heroine, the boy is shown introducing one of the hero's friends to the woman this friend had been living with. It is done innocently by the boy, but everyone in an audience will laugh, because of the lack of sophistication on the part of the boy, who had been trying all along to make everybody believe that he knew what the actual relations between his father and the heroine were. It is one of the greatest touches that have been seen in pictures for a long time. And it is said that it was conceived by director Hobart Henley; it was not in the stage play. The results gained by this little touch indicates what great dramatic possibilities lie ahead of the talking pictures. (Time by my watch, 73 minutes.)

"Big Time" (100% T-F)

(Fox, Oct. 6; syn. 7,004 ft.; sil. not yet determ.)

Excellent! It is the old backstage story, in which the two principal characters are vaudeville performers, but it has been handled so well that one's interest is held tense all the way through. There is deep pathos, but there are also many laughs. The laughs are caused mostly by Mr. Lee Tracy, an old stage actor. The pathos is caused by the reunion of hero and heroine. The presence of their child, a boy of four, adds, of course, the greatest touch of sympathy. Mr. Tracy takes the part of a young man who aspired to go on the stage; he is engaged in small time, eventually playing big time. Mae Clarke is equally good as the other part of the vaudeville double. Stepin Fetchit, as the lazy negro, in charge of a trained seal, provokes no few laughs. The recording is fairly good, but the reproduction at the Roxy was not so good; the voices sounded sharp. This is, no doubt, the fault of the instrument and not of the film.

The plot has been founded on a story by Wallace Smith. It deals with the rise of hero and heroine, vaudeville actors, to fame, when they are given a contract to play big time. The hero is self-centered and thinks that the success of the team is owed to his own ability, when in truth it was owed to the wise management and to the counsel of the heroine, whom he eventually marries. As the heroine is about to become a mother, the hero engages another woman to act with him. She is a scheming woman, and eventually brings about a separation between the hero and the heroine. The hero goes from bad to worse until he finds himself in Hollywood, friendless and penniless. He obtains a position as an extra at one of the studios. There he accidentally meets his wife, a famous star under an assumed name. For the first time in four years he sees his son. There is reconciliation.

"Big Time" should prove a good attraction also as silent. (Time, 77 m.)

"Campus Nights"—with Raymond McKee

(Chesterfield; Sept. 1; 5,80 ft.; 67 to 82 min.)

A not very funny comedy of college life; it makes a filler-in for unwired houses. Raymond McKee plays the dual role of a prim college professor and his twin brother, a gay sport always in trouble with the girls. He is not bad at all but the gags are old and not of the side-splitting kind. Shirley Palmer is the heroine who falls in love with the professor despite the many difficulties he gets into on account of his brother's escapades with girls.

"The Hottentot" (100% T-D)

(*War. B.*, syn. 7,241 *Aug. 10*; *sil. Sept. 28* not fixed)

When the late Thomas Ince made "The Hottentot" it created a sensation, for it turned out to be a side-splitting comedy. The present version should make equal success, both as a silent as well as a talker. There is plentiful comedy, not only in the situations but also in the subtitles, as well as in the acting. Mr. Edward Everett Horton is an excellent comedian, and handles his part with art. As the man who is taken for a famous horseman, when in truth he had never ridden a horse, he is capital. There are, of course, some thrilling situations, caused by horse races. The recording was done well, and the reproduction is clear. Miss Miller is good as the heroine. Some of the others in the cast are, Edmund Breese, Edward Earle, Stanley Taylor, and Douglas Gerard.

The plot has been founded on the stage play by William Collier and Victor Mapes. It shows the heroine's mother scheming to bring together her daughter (heroine) with the hero. Because of the similarity of names, the hero, when he calls on the heroine at the invitation of her mother, is mistaken for a famous horseman, and naturally is asked several times to show his horsemanship. By one pretext or another, he succeeds in evading the issue, but eventually things come to a point where he has to ride a horse. He is, of course, thrown, but no one is present to see him. When he learns that the heroine so loves horses that she would possibly not love him if she were to learn that he is not a horseman, he decides to become an expert. And he succeeds. In the end he confesses to the heroine. (Time by my watch, 77 minutes.)

"Should a Girl Marry" (21% T-D)—with Helen Foster and Donald Keith

(*Rayart*; *Sept. 1*; syn. 8,058 *ft.*, *sil. 6,825 ft.*)

Where this type of picture is popular, it should make a good program picture, particularly for neighborhood and small town theatres. The spectator's sympathy for the heroine is aroused as she is a very appealing and pathetic victim of circumstances. There is considerable comedy contributed by Andy Clyde and Dot Farley, aided by the subtitles. It is preachy and sentimental in spots but the action is fast, the story good and the acting is good also. The dialogue is very well recorded. The court scene is enhanced by the attorneys' presentation of their sides in spoken dialogue.

The heroine kills her dead sister's betrayer, and after a sensational trial, she is acquitted. The detective who built up the case for the prosecution, angry at the result, relentlessly pursues the heroine from town to town, causing her to lose one job after another, until in desperation she attempts to drown herself. She is rescued by the hero, step-son of the villain, president of the local bank, where he gets her a job. They fall in love and are about to announce their engagement when the detective, who had been called in to find out who had been stealing money from the bank, attempts to induce the girl to be "nice" to him to save her from further scandal. This she refuses to do and so he tells the villain, who exposes her to his step-son at the engagement party. The villain comes to her home to offer her some money. She refuses to accept it, telling him that he and not she was the thief. The

detective had followed them and tells the crook that he (the detective) would have him sent to jail. A quarrel follows in which the villain shoots the detective and jumps out of the window only to be killed. The detective, on his death-bed, saves the girl by admitting that the villain had shot him. The hero, who, too, had come to the house, learns that at last she is free of suspicion and they are united.

Scott Pembroke directed it from the story by Arthur Hoerl. Others are Wm. V. Mong, as the villain, and George Cheesbro as the detective. (Time, 70 min.)

"Our Modern Maidens" (Silent)

(*M-G-M*, *Aug. 24*; syn. 6,976 *ft.*; *sil. same*)

The making of this picture was, no doubt, inspired by the success "Our Dancing Daughters" made at the box office. It is the same type of picture—youthful and "sexy," just like "Our Dancing Daughters," only that it is more restrained. Nevertheless, the greatest part of the film is used to convey the idea that there had been a love union between the hero (Douglas Fairbanks, Jr.) and a girl of the young society set (Anita Page), and that this young girl was desperate when she saw the hero marrying the heroine (Joan Crawford). There is, of course, jazzing, which means also drinking. The story is too thin to be called a drama, and not romantic enough to be called a romance. It is just the story of modern youth, who care not about conventions; all they care for being pleasure. The picture is synchronized with music and some sound effects, but such effects add little to its value; its chief characteristic is sex appeal, and it is this that is depended upon by the producers to draw custom. The settings are, of course, pretty lavish, and the photography clear.

Josephine Lovett, who wrote "Our Dancing Daughters," wrote also this one. It was directed by Jack Conway. Some of the others in the cast are, Edward Nugent, Josephine Dunn, and Albert Gran. (Time of the synchronized version by my watch, 74 min.)

WHO IS THE DUMB ONE?

Charlie Pettijohn, the eminent counsel for the Hays organization and general supervisor of the arbitration boards, which no longer exist, except in isolated spots, attended the convention of the M. P. T. O. of Eastern Missouri and Southern Illinois, held recently in St. Louis.

The chief object of Charlie's attending the convention was, not to tell the exhibitors how to get adjustments from the distributors, but to attack Allied States Association.

While in St. Louis, however, he felt as if he would have taken advantage of St. Louisans if he were to accept their hospitality but give nothing in return. So he gave the newspapers an interview.

In that interview, which was given wide publicity, Charlie stated that the moving picture actors are "dumb"—too "dumb" for public appearances.

There is a growing suspicion that some one in the motion picture business is too dumb to make public appearances. But is it the actors? We ask you!

What will the Academy of Motion Picture Arts and Sciences say about this?

LOYALTY!

In these days, when complaints against the indifference of theatre owners in organization matters are made daily, it is heartening to note the loyalty the Indiana exhibitors are showing towards their organization.

You undoubtedly know that Indiana, which is a member of Allied States Association, withdrew from arbitration along with other state members.

Naturally the Hays organization, the existence of which depends almost exclusively on the success of arbitration, the Hays kind, has been exerting great efforts to divide the exhibitors of Indiana. It induced the Mayor of Indianapolis to appoint exhibitor arbitrators to carry arbitration on.

The Mayor has appointed at least twenty-five exhibitors up to the present, but, when the day for arbitration came, each time the Mayor's appointees refused to present themselves at the meetings.

That is one hundred per cent. loyalty.

HARRISON'S REPORTS hopes that the exhibitors will show the same spirit everywhere, no matter whether they are or are not members of their state or zone organization. Whenever there is a fight about arbitration or other matters, it is undertaken by the exhibitor leaders solely for the betterment of your condition. It is natural, therefore, for them to be heartened when they see you giving them one hundred per cent. moral backing; they fight that much harder.

There is no greater virtue than loyalty; in fact, there can be no virtue without loyalty.

HARRISON'S REPORTS takes pleasure in commending the wonderful spirit the Indiana exhibitors have shown and in bringing it to the attention of the exhibitors of the nation.

This paper cannot at this time fail to bring to the attention of the nation also the wonderful spirit Mr. Jack Miller, President and General Manager of Exhibitors' Association of Chicago, has shown.

It is well known that part of Indiana belongs to the Chicago zone, and naturally the cases of the exhibitors that belong to that part are arbitrated in Chicago.

When arbitration was dropped in the Indianapolis zone, the producers tried to defeat the organization by transferring all the cases to the Chicago zone.

Mr. A. C. Miller, the president of the Indiana organization, appealed to Jack Miller to instruct his men not to try any cases of Indiana exhibitors. And Mr. Miller's men obeyed.

This is the finest spirit any man could have ever shown. It is particularly commendable since Mr. Miller is connected in a business way with affiliated theatres.

HARRISON'S REPORTS takes this opportunity of again urging all exhibitors to refrain from acting on arbitration boards in states or zones where arbitrations has been dropped until Allied States settles this matter. There is nothing to be gained by responding to the wish of the producers.

Allied States is not fighting against arbitration; Mr. Myers believes in arbitration. So does every Allied leader. And this goes also for HARRISON'S REPORTS. But we all want fair arbitration—arbitration that will be free from the domination of the Hays organization, of the Pettijohns and the Hesses. The present arbitration system is completely controlled by the Hays organization.

Let us all give Mr. Myers, in arbitration as in all organization matters, our backing one hundred per cent. There has never been a time when the exhibitors of the country were led nationally by a person endowed with more intelligence, and more capability. Mr. Myers is well able to cope with every situation. And he is a "regular" fellow. So let us all give him our whole-hearted support. Let us all follow the wonderful example set by the Indiana exhibitors.

DISLOYALTY

The following is part of a statement issued by the offices of Allied States Association:

"It has come to the attention of this office that forces antagonistic to the franchise offer made by RKO Distributing Corporation and by Tiffany-Stahl Productions, Incorporated, are seeking to defeat this measure for exhibitor relief by urging theatre owners to withhold signing franchises at the prices set by exhibitor committees on the theory that those prices may be lowered.

"The companies in question made their offer in response to the representations of exhibitor leaders that the theatre owners were in need of immediate relief from exorbitant film rentals. It was not contemplated by any of the parties to the negotiations that the generous co-operation of these two producers would be used by exhibitors as a club in dealing with other producers, and that their prices would be pegged indefinitely while the exhibitors negotiated with other concerns.

"The opposition to the franchise plan has made a poor showing so far but they should not be permitted in any degree to punish RKO and Tiffany-Stahl for their co-operation with the smaller theatre owners. It is believed, therefore, that the rate set by exhibitor committees should not remain for a longer period than thirty days and that thereafter these companies should be free to sell film either on franchises or on standard contracts, at prices negotiated in individual transactions."

It is difficult to believe that any exhibitors should use the RKO and the Tiffany-Stahl franchise agreements, consummated by the leaders of independent exhibitors, for the relief of independent exhibitors, as a club for cutting down the film prices of other producer-distributors without finally signing up for the franchises of these two concerns. Yet it is true, according to information received at the Allied States offices.

Exhibitors that resort to such tactics dig their own graves. It is a show of disloyalty towards those that are fighting for them.

Previously to the consummation of the franchise agreements with these two companies by Allied States, conditions for the average independent exhibitor became unbearable. The picture business was so poor, and the film rentals so high, that theatres closed down by the hundreds. The franchise deal heartened the exhibitors of the country, inducing them to carry on; the reasonable prices at which they could obtain the product of these two concerns made them realize that they could keep their theatres going profitably.

The taking of a substantial portion of an exhibitor's weekly play-dates by the two franchise concerns disturbed the other producer-distributors. It was natural that it should do so, for when three or four days out of each seven days are closed, there will be a battle among them for the remaining play-dates. Realizing this, these producer-distributors set out to fight the franchises by offering their product at low, at times at give-away, prices.

The franchise plan was conceived by the Allied leaders for just such purpose—to force the crushing film rentals down. But it was not intended to be used by the exhibitors at the expense of Radio Pictures and Tiffany-Stahl pictures. It is unfair, mean, and I should even dare say contemptible. And I hope that no exhibitor, subscriber of HARRISON'S REPORTS, should resort to such a trick; I should be ashamed of myself for him.

If you expect the national organization to ameliorate your condition, you must give it your co-operation one hundred per cent. And you can give it such co-operation only by buying a Radio Pictures and a Tiffany Pictures franchise before closing a contract for any other product. Any other procedure will defeat the efforts of your leaders for your relief. The franchise brought the prices down and only the franchise can keep them down. You may be able to get relief without the franchise now, but God help you afterwards; for if the franchises fail, no one will again fight your battles. And you know what the producers will do to you when those who are now fighting for you give up the fight in disgust; they will take your shirts, and the skin with it.

HARRISON'S REPORTS fought the independent exhibitor battles when there was no national organization to fight them or to help it fight them. Now that there is a national organization, I am doing all I can to back up its efforts. Because the franchise plan is an organization matter, it is natural for me to back it up. So I urge every one of you to buy a Radio Picture and a Tiffany-Stahl franchise, for these franchises are the only practical means that have ever been adopted by an exhibitor organization to bring relief to the exhibitors.

There must be a Radio Pictures and a Tiffany-Stahl franchise everywhere!

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AGAIN ABOUT SILENT PICTURES

Exhibitor-subscribers still continue inquiring how many silent pictures will be made during the current season.

This matter was treated in detail in the issue of August 31.

At this time, let me again state that even the producers themselves are unable to state how many silent pictures they will make during the 1929 season, for the reason that nine out of each ten silent pictures will, as said, be made from "sound" negatives. And it is not always possible to tell in advance whether a silent picture made out of a sound negative will turn out to be good, fair or mediocre entertainment.

The only thing "silent" exhibitors can do is to wait until the picture is shown as "sound," and an appraisal of its silent value is given.

HARRISON'S REPORTS will, in the future, make it a point to state in each review whether the particular sound picture may or may not make a good silent entertainment.

The following is an opinion as to the possible silent value of the pictures that have been reviewed in HARRISON'S REPORTS in the last three months:

(Reviewed in the June 22 issue)

"The Four Feathers," Paramount: This is silent, synchronized with music and a few sound effects.

"The Fall of Eve," Columbia: As sound, it is excellent; in all probabilities it will also make a very good silent attraction.

"Hard-Boiled Rose," Warner Bros.: It was pretty good as a part-talk picture, and the quality of the silent version should be of about the same grade.

"From Headquarters," Warner: Mediocre as sound, and no doubt mediocre as silent.

"The House of Horror," First National: Mediocre as sound, and not better as silent.

"The Idle Rich," M-G-M: Very good as sound, fairly good as silent.

"Careers," First National: Poor as sound and no better as silent.

(Reviewed June 29)

"Thunderbolt," Paramount: Good, although probably not as good as the sound version.

"Broadway Babies," First National: Poor as silent.

"The Wheel of Life," Paramount: Mediocre as silent.

"Two Weeks Off," First National: It ought to make an excellent silent.

"High Voltage," Pathe: Mediocre as silent.

"The Veiled Woman," Fox: Poor as sound and worse as silent.

"Drag," First National: Pretty good as sound, and of about equal quality as silent.

"Stairs of Sand," Paramount: This is an original silent.

(Reviewed July 6)

"No Defense," Warner Bros.: Pretty good as sound, and as good as silent.

"Fashions in Love," Paramount: Poor as silent for the smaller theatres.

"Four Devils," Fox: Fair as silent.

"Behind That Curtain," Fox: It ought to make a very good silent.

(Reviewed July 13)

"The Time, the Place, and the Girl," Warner Bros.: Boreome as silent.

"Charming Sinners," Paramount: Good silent for high class custom, but fair for the rank and file of picture-goers.

"Divorce Made Easy," Paramount: Fair as silent.

"The Bachelor Girl," Columbia: Pretty good as a silent.

"Twin Beds," First National: Good as silent.

"Dangerous Curves," Paramount: Fairly good as silent.

"Melody Lane," Universal: Poor as silent.

"The Flying Marine," Columbia: It ought to make a pretty good silent. It is mostly silent anyway.

"The Man and the Moment," First National: Poor.

"Pleasure Crazy," Fox: It is a good sound, but the silent version in all probability will be mediocre.

(Reviewed July 27)

"Lucky Star," Fox: No better than the sound version.

"The Mysterious Dr. Fu Manchu," Paramount: Almost as good as the sound version.

"Modern Love," Universal: Fair.

"His Lucky Day," Universal: Nearly as good as the sound version.

"Wonder of Women," M-G-M: Nearly as good as the sound version.

"Come Across," Universal: Fair.

(Reviewed August 3)

"Masquerade," Fox: Pretty fair.

"The Girl in the Glass Cage," First National: Mediocre.

"Two Men and a Maid," Tiffany: Mediocre.

"Smiling Irish Eyes," First National: Pretty fair, except in Irish neighborhoods.

"The River of Romance," Paramount: It ought to make a good silent.

(Reviewed August 10)

"Street Girl," Radio: It ought to make an excellent silent picture, even though the advantages of music are lost. The jokes and the comedy of situations ought to put it over in great shape.

"New Orleans," Tiffany: Poor.

"The Flying Fool," Pathe: Pretty good.

"College Love," Universal: Fair.

"The Cock Eyed World," Fox: Good as silent, and the fame the sound version has made should help it to draw big crowds. It is, however, unsuitable for small towns where patrons dislike vulgarity. It may cause a demand for censorship.

"Midstream," Tiffany: Poor.

"Girl Overboard," Universal: Fairly good—nothing to brag about.

(Reviewed August 17)

"The Last of Mrs. Cheyney," M-G-M: Pretty good for high class custom, but only fair for regular custom.

"Say It With Songs," Warner Bros.: Pretty good.

"Madonna of Avenue A," Warner Bros.: Fair.

"Half Marriage," Radio: Pretty good.

"The Green Murder Case," Paramount: Pretty good.

"My Lady's Past," Tiffany: Poor.

(Reviewed August 24)

"Side Street," Radio: Pretty Good.

"Light Fingers," Columbia: Fairly good.

"Paris Bound," Pathe: Fair silent for high-class custom, but poor for the rank and file.

"Fast Life," First National: Not any better than the sound version.

"The Hollywood Revue," M-G-M: Not good as a silent picture.

"The Sophomore," Pathe: It ought to make an excellent silent.

"The Dance of Life," Paramount: Of about the same caliber as the sound version.

(Continued on last page)

"Flight" (100% T-F&D)—with Jack Holt (Columbia, Approx. 12,000 ft.; no rel. date set)

For the last two years Columbia has been striving for recognition as a class A producing and distributing concern; the pictures it produced made it feel justified to demand such a position. "Flight" makes it possible for it to demand, by the right of performance, such a place in the industry. In the opinion of this paper, "Flight" is, from the point of view of human interest, better than "Wings," although it is not as spectacular and may not reach its grosses, by reason of the fact that "Wings" took the "edge" off. In other words, "Flight" would probably have grossed as much as "Wings" had it been released first, and had it been given nearly as good an exploitation, if not as good.

The story deals with Marine aviators and aviation. It shows in an interesting way how the "rookies" are turned into full-fledged aviators. The hero (Jack Holt) is a famous aviator. In real life, Mr. Holt is an aviator, and it is said a good one. The love affair between the two friends, the hero and his pal (Ralph Graves), who love the same girl (Lila Lee), has been done in an interesting way. The flights of aviators in formation and individually offer considerable thrills. The attack of the revolutionists by the aeroplane squadron is thrilling in the extreme. The recording of the voices was done well and is clear in the reproduction.

The story deals with a young man (Ralph Graves), who causes his college team to lose a football game because of a blunder. Every one points out to him with scorn until he is driven almost out of his mind. Accidentally he meets the hero (Jack Holt), a Marine aviator. Months later he enlists with the Marine Aviation Corp, where the hero is stationed. The hero recognizes him but at first treats him as a stranger, the military regulations and the discipline so requiring. Soon they become pals. The pal becomes acquainted with the heroine, whom the hero loves. The heroine falls in love with the pal. The hero's pal has an accident in his first solo flight and is disqualified. He is assigned to be a mechanic. The war in Nicaragua causes the War Department to issue an order sending several aeroplanes there. The hero is one of the aviators sent. He takes his pal along as a mechanic. The heroine, a nurse, succeeds in causing an order to be issued, sending her to Nicaragua. The hero is glad to see her and makes up his mind to tell her that he loves her. But however hard he tries to gather courage he is unable to do so, and asks the hero, who is better educated and knows how to propose, to make the proposal for him. Because the pal loves the heroine and at the same time he does not want to break his friend's heart, he refuses to do so until he is hard pressed by the hero; he then undertakes to convey his message. The hero, with a broken heart, pleads with the heroine to accept the hero's marriage proposal, enumerating his virtues. But the heroine tells him that it is him whom she loves and not the hero. The pal returns and tells the hero that the heroine, who was outside the tent, would tell him all about it. When the heroine tells him that she loves the pal, the hero thinks that his pal had double-crossed him and strikes him in the face. The hero does not strike back. A detachment of Marines is surrounded by the revolutionists and the aeroplane squadron is ordered to attack them. The pal is assigned as a machine gunner in one of the aeroplanes. After dispersing the revolutionists the squadron returns. The hero's ship is missing. A long search fails to reveal the location of the lost aeroplane and the commander orders that further search be discontinued. When the heroine hears of it she goes to the hero and pleads with him to carry on the search alone. At first the hero is unwilling to do so but he finally yields. He finds the wrecked aeroplane, with the hero the only survivor, the pilot having died of his injuries. The hero learns the truth about his pal's conduct and once again they become fast friends. The pal and the heroine marry.

Ralph Graves himself wrote the story. Frank R. Capra directed it. The work of Messrs. Holt and Graves is excellent. So is that of Lila Lee. Allan Roscoe, Harold Goodwin, and Jimmy de La Cruze are in the cast.

The silent values of "Flight" are big. (Time 2 hours.)

"Chasing Through Europe"—with Nick Stuart and Sue Carol

(Fox; Aug.; syn. 5,581 ft., sil. 5,622 ft.)

It is an imposition on the part of the Fox Film Corporation to force this feature on the exhibitors even as a program picture, when it is nothing more than a series of

good newsreel subjects taken by Nick Stuart while on a trip to Europe, where he tirelessly grinds a camera, interviewing President Cosgrave of Ireland, the Prince of Wales, and covering scenes of life in London. He had a thrilling climb up the Eiffel Tower in Paris and from there he went to interview Premier Mussolini of Italy. He photographed also Vesuvius in eruption.

Manifestly, Fox realized this and so it sandwiched in a thread of romance when the picture was finished in Hollywood. Mr. Stuart meets Miss Carol on one of his trips in London and helps her to escape from her cruel guardian. He was trying to put her into an insane asylum because she had refused to marry his nephew, thus to save them both from going to jail for having speculated with her inheritance and lost her fortune.

Some of the titles are entertaining and quite funny.

Besides Miss Carol and Mr. Stuart, there are Gustave Von Seyffertitz, as the guardian, and Gavin Gordon, as the equally vicious nephew.

David Butler directed the European scenes and Alired Werker did the Hollywood end of it. Andrew Bennison wrote the story, such as it is. (Time, 60 minutes.)

"The Great Gabbo" (100% T-F&D)

(Sono-art-World Wide, ab. 9,950 ft.; no rel. date set yet)

Under ordinary circumstances, it is doubtful if this picture would have pleased many picture-goers; the featuring of villainous acts almost at the exclusion of good acts to counterbalance them is hardly pleasurable to the picture-goer of the rank and file. But the story is so extraordinary that one would not go very wrong if one predicted that it will draw big crowds and interest those that will see it.

The story revolves around a ventriloquist, the personification of selfishness and egotism. He is cruel to the woman who loves him and whom he loves. And yet, cruel as he is, he has tenderer sentiments which he expresses through his dummy. The inanimate dummy, in fact, receives all the attention; it is through it that both hero and heroine express their tenderer sentiments. Although sympathy is lacking for the hero in most of the picture from the very start, the interest of the spectator is kept alive up to the closing scenes.

The story deals with the Great Gabbo, a famous ventriloquist, whose companion (the heroine—impersonated by Betty Compson) is a young woman. His extreme egotism makes him almost helpless and she caters to all his little needs at home, even though she can never satisfy him. His cruelty towards her, however, exceeds all bounds of reason and she deserts him. The Great Gabbo outwardly seems not to care for the heroine's departure but through the dummy he expresses his regrets (the dummy appearing as if giving him good advice, enumerating the heroine's virtues and the care she had shown for his comfort. The despondency of the dummy naturally reflects the despondency the hero felt at her departure. But he is too much of an egotist to call her back and to beg her forgiveness). Months later the two meet in a theatre, where she was performing in company with another young man. The young man loves the heroine desperately and resents the attentions she paid to the Great Gabbo. Things come to a head and the young man demands that she cease paying any attention to him. The heroine tells the Great Gabbo that she cannot go back to him for the reason that she is married and loves her husband. She then informs her husband that she had told the Great Gabbo that it was the last time that they would see each other. The Great Gabbo is heartbroken at the bad news. Husband and wife embrace each other, the husband feeling happy that the danger of losing the heroine had passed.

The acting is very good, indeed, except that Eric von Stroheim, who takes the part of the Great Gabbo, is self-conscious at times. Yet his personality is impressive. He is one man that is liked by many and at the same time hated by many. Those who like him will, no doubt, go to see the picture; those who dislike him may be also attracted to it. Miss Compson does good work, as always. The talk is only fairly clear. There are some impressive scenes in technicolor, but their effect is spoiled by the fact that the faces and other outlines are blurred.

The fame of Miss Compson, of von Stroheim, the attractiveness of the title, and the great exploitation campaign should help it draw big crowds.

Because of the fact that the talk through the dummy plays a great part in the success of this picture, it is doubtful if the silent version will be more than fairly effective. (Time, 1 hour and 45 minutes.)

"The Drake Case" (100% T-F&D)

(Univ., Sept. 1; syn. 6,448 ft.; sil. 5,688)

This is a murder mystery melodrama, and, in spite of the fact that most of its action unfolds in a court-room, it is an entertaining picture. The action is interesting, in that it arouses the spectator's desire to know who had committed the murder and why. The plot construction is so good that the mystery is kept to the end. One feels sympathy with the mother (the late Gladys Brockwell) for her plight, particularly when the spectator learns that the heroine is her daughter, for the fact that she did not commit the murder, and for the fact that she, like a real mother, had tried to protect her daughter (who was ignorant of her identity). Robert Frazer is the attorney for the defense, assigned by the state to defend the woman who was accused of the murder. His voice registers well and he is convincing. Forrest Stanley makes a good movie district attorney.

The story deals with a maid, who is accused of the murder of her mistress. The motive given was blackmail and robbery. As she had no money to engage an attorney with, the state assigns the hero to defend her. The hero tries to prove to the jury that his client could not have committed the murder, because the state had accused her of having committed it for robbery and it was proved that she had no money at all. He digs out evidence revealing the fact that the accused was the mother of the murdered woman's stepdaughter. The mother is thus compelled to take the stand to testify that she took a position as a maid to the murdered woman because she had learned that her daughter was taking dope, and wanted to protect her from the woman that had made a dope fiend out of her. The state insisted that she had committed the murder until a stranger comes to the hero and gives him information that proved that the murderer was the murdered woman's second husband, attorney for her dead husband's estate.

Charles Logue wrote the story, and Edward Laemmle directed it. The lines are clear.

The silent values of "The Drake Case" ought to be nearly as good as the sound values. (Time, 70 minutes.)

"Jealousy" (100% T-F&D)—with Jean Eagles

(Param., Sept. 28; syn. 6,107; sil. not determ.)

A poor picture! It is no entertainment. What is shown is a wife's efforts to conceal from her husband that she had had improper relations with a wealthy man, and a husband driven almost to insanity by jealousy, eventually murdering the wealthy man. There is not pleasure at such sights, particularly since they are not relieved by good acts. It is one unhappy incident after another throughout the story. The acting and the direction are very good, but these are important to impart pleasurable values.

The plot has been founded on the stage play by Louis Verneuil; it was directed by Jean de Limur and John D. Williams. In addition to Jean Eagles, there appear in the cast Frederic March, Halliwell Hobbes, Blanche Le Clair, Henry Daniell and Hilda Moore.

"Jealousy" is unsuitable most particularly for small towns. A silent version would not be any better than the sound version. (Time, 64 minutes.)

"Why Leave Home" (100% T-FN)—with Sue Carol and Nick Stuart

(Fox; Aug. 28; syn., 6,388 ft.; sil., not determined.)

Like the silent version, which Fox produced two years ago under the original title "Cradle Snatchers," it makes a hilariously amusing sophisticated comedy but more snappy and peppy on account of the talking, music and singing. David Rollins, as the bashful college youth, gives the best performance aided by Miss Carol as the chorus girl. She has a pleasing talking and singing voice. There is an elaborately staged cabaret scene with a movable orchestra pit in spiral form, which is quite original. There are so many laugh-provoking situations that the audience is kept in continual laughter.

As before, the story revolves around three husbands who pretend to their wives that they are duck-hunting when they are really entertaining chorus girls. The wives decide to have a good time, too, and hire three college youths to teach them to dance so that they might step out with the boys. They all meet in the mountain inn cabaret and when they are unmasked, there is much ado as each recognizes the other.

There is a love story between one of the chorus girls,

Miss Carol, and one of the college boys, Nick Stuart, to whom she sings the theme songs pretty often.

Walter Catlett's engaging voice enlivens his part as the blundering husband. Others are Jed Prouty, Jeane Barry and many more.

Raymond Cannon directed it skilfully from the stage play by Russell Medcraft and Norma Mitchell. (Time by watch, 70 minutes.)

THE TYPE "G" RCA PHOTOPHONE

After a hard battle to get for the smaller exhibitors, seating 500 or less, the lowest price possible and the best terms for a talking device from RCA Photophone, Inc., Mr. Abram F. Myers, President and General Counsel of Allied States, closed an agreement with them.

The price has been fixed (f.o.b. factory) at \$2,995 for Simplex machines, and \$3,250 for Powers machines. The present base of the Powers machine is unsuitable for the fitting of a sound head on it and it is necessary to make an entirely new base. That is the cause for the additional charge. But the Powers machines are very few as compared with the Simplex, and very few exhibitors will naturally be required to pay the higher price.

Likewise with the Motiograph: A new base is needed, but as there are very few Motiograph machines in the smaller houses, the price has been left to be determined at the time of the negotiations.

This equipment will be known as "Type G." It consists of 2 Sound Heads, 2 Synchronous Disc Attachments, 1 Main Amplifier, 1 Three-unit Motor Generator set, and 1 Dynamic Loud Speaker.

RCA Photophone, Inc., will furnish the services of a superintendent for a week, free of charge, to see that the machine is installed properly.

These prices are, of course, net cash; the installation charges, which it is expected will not exceed \$200, will be borne by the exhibitor.

A service charge of \$15 a week for the first two years, and of \$12 a week for the following eight years, will be charged.

Where an exhibitor requires terms for the payment of the machine, the financing charges will be added to the price. It is understood that no additional profit will be made out of the financing.

The success of Allied States in inducing RCA Photophone to put out a talking picture device at such a low figure is, indeed, a distinct victory, and independent exhibitors will without any question feel grateful towards it.

What my findings are as to the merits of the RCA Photophone as compared with other talking picture instruments were printed in HARRISON'S REPORTS months ago in such detail that almost every exhibitor knows what they are. My opinion as to the superiority of the RCA Photophone has not changed with the lapse of so many months, for the reason that the fundamentals have not changed. I said that the horn causes resonances. The more I investigate the action of the horn the more convinced I become that these deductions were correct.

An additional information that I desire to give you at this time is the fact that the pitch or pitches of the air column in the horn change with the change in temperature, so that the resonances in a temperature of, say, 65 degrees Fahrenheit occur in a different spot of the musical scale than they occur in a temperature of, say, 75 degrees. The same thing happens in the tubes of an organ—the pitch changes with the change in the temperature.

That the dynamic cone speaker is superior to the horn sound projector is attested by Western Electric itself: Graybar is, as you no doubt know, a subsidiary of Western Electric. In an advertisement about the quality of its radio sets, published in the *New York Times*, of Sunday, September 15, and in other papers, the following statement is made:

"You can expect music that fairly carries you away. Full of 'color' and variety and warmth. . . . And this price actually includes an improved electrodynamic speaker . . ."

In a box in the same advertisement, the following statement is made:

"Nowhere in all radio tube-dome are there better tubes than Radiotones, Graybar believes. That's why Graybar distributes them."

That Western Electric believes in these statements is proved by the fact that the Radio Corporation of America manufactures all the Graybar radio sets.

So if the executives of Western Electric believe that the dynamic cone speaker is better adopted for voice as well as for music reproduction, why dispute them?

(Reviewed August 31)

"Hallelujah," M-G-M: Not as good as the sound version.
 "College Coquette," Columbia: Nearly as good as the sound version.

"The Very Idea," Radio: Radio will not make a silent version of this picture, because it believes that it does not lend itself for that purpose, even though it is very good as sound.

"Big News," Pathe: It ought to make an excellent silent attraction.

"The Gamblers," Warner Bros.: It ought to make a good silent entertainment.

(Reviewed September 7)

"The Girl from Havana," Fox: It ought to make a pretty good silent entertainment.

"Dark Streets," First National: Pretty good.

"The Great Power," Regional: Poor.

"Woman Trap," Paramount: Fairly good.

"The Gold Diggers of Broadway," Warner Bros.: I doubt if this picture will be worth anything as silent.

"The Awful Truth," Pathe: Poor.

"The Argyle Case," Warner Bros.: Very good.

(Reviewed September 14)

"The Lady Lies," Paramount: Probably very good.

"Big Time," Fox: Probably very good.

"The Hottentot," Warner Bros.: Very good.

"Should a Girl Marry," Rayart: Fair.

AN INTERESTING CONTRACT QUESTION

An exhibitor decided to put in a disc sound equipment, and bought one from a minor concern.

While this concern was installing the instrument, the exhibitor went ahead and changed his silent contracts into sound. But when it came for him to test it, he found that the sound was very poor.

At first he thought that the fault lay in the acoustics of his house, and was so told by the company that sold him the instrument.

To correct this defect, he treated his theatre as best as he could; he hanged curtains here, he put some draperies there, felt in some spots, and so on, but still the sound was poor. Finally he discovered that the fault lay not in the theatre but in the instrument, and threw it out, suffering a great loss.

After this lesson, he went to one of the major concerns and signed a contract for their instrument. He bought, however, only the sound-on-film reproducing device.

All the distributors but one cancelled his sound-on-disc contracts. The one that did not cancel them now threatens to hail this exhibitor before the arbitration board. He has already submitted dates to him. The exhibitor is willing to play out the silent contracts, but the distributor refuses to release him from the sound contracts. The exhibitor now wants to know whether the distributor has the right to force him to play disc sound pictures when he has no disc sound device.

To make sure that my opinion on the facts submitted is correct, I asked the advice of Mr. Harry Suchman, a lawyer, of 1560 Broadway. Mr. Suchman is a former exhibitor; he acted on the arbitration board of this zone regularly, and defended (and is now defending) many exhibitors, winning many important decisions. There is no exhibitor-lawyer in this zone more familiar with arbitration matters. Here is his reply:

"It is my opinion that the distributor cannot force this exhibitor to carry out the disc sound contract, for the reason that the latter has no disc sound device. The contract for sound was signed by the exhibitor subsequently to the silent contract. Had the exhibitor not signed the sound contract the distributor would not have suffered any loss, for the reason that the rights to the pictures were already disposed of. By the same token, the demand by the exhibitor that the distributor cancel the sound contracts and reinstate the silent contracts will in no way work a hardship on the distributor. The sound was merely an additional, and not the main, facility, and the exhibitor contracted for it in the belief that he was going to derive a greater revenue, for the rights of which he was willing to remunerate the distributor. However, the instrument that would enable him to earn the additional profits turned out so poor that, had he gone through with his original intention, the results would have been disastrous; instead of profits, he would have caused himself great losses, not only

during the time the contracted pictures were to be shown but also afterwards.

"An additional reason why this distributor is not entitled to compel the exhibitor to carry out the sound contracts is this: Each company is supposed to pass upon each individual installation before releasing its pictures to the exhibitors, the reason for this being the distributors' belief that a poor sound equipment will hurt the prestige of their pictures. In this case, instead of the distributors' passing on the quality of the instrument, the exhibitor himself did so; when he found that the quality did not come up to the standard of good reproduction he threw the instrument out, thus preserving the prestige, not only of his theatre, but of the talking pictures of all distributors. And the exhibitor did this at a great loss to himself. It would be inconsistent, then, for this particular distributor to insist that the exhibitor pay for the sound rights.

For all these reasons it is my belief that no arbitration board, unless they want to do an injustice deliberately, will force this exhibitor to carry out the sound contracts."

* * *

And by the way, Mr. Suchman, whose reasoning about this matter is correct, has been engaged by Tiffany-Stahl to go over the franchise with a view to seeing in which way the interests of the exhibitors may be protected better. Tiffany-Stahl desires to work for the betterment of the exhibitors' lot wholeheartedly. Any recommendations that Mr. Suchman may make will, of course, have to be submitted to Mr. Myers, who will be the one to say whether they shall be adopted or not.

THE RIGHTS OF THE HOLDERS OF A WARNER BROS. FRANCHISE—No. 2

In last week's article, which dealt with the rights of such exhibitors as hold a Warner Bros. franchise, the pictures that were shown in this city contrary to the road-show provision were given. These are, as said, "The Argyle Case" and "The Hottentot." I overlooked mentioning also "The Gamblers." If this picture has been sold to you as a road-show attraction, or if it was sold to you as a Super Special with the provision that the distributor may road-show it at his option, then Warner Bros. has violated its contract with you for this particular picture. As a result, you may summon the exchange before the arbitration board (or before the courts, if it refuses to make a suitable settlement), demanding damages. You may also refuse to play such a picture, or any picture sold under similar terms but not road-shown, as provided for in the contract. ("Gamblers" was shown at the Strand as a regular picture.)

For the guidance of its subscribers, HARRISON'S REPORTS will in the future make it a point to state in the review of each Warner Bros. picture whether it was road-shown or shown merely as a regular attraction.

NO SUCH A THING AS "DUAL" RECORDING

Some branch managers, in order to soothe the wrath of exhibitors that had the misfortune of playing one of their duped sound versions and were compelled to refund the admission money to their patrons because of the poor quality of the sound, assure the exhibitors that their disc sound versions are made at the same time as are the film sound versions.

A statement such as this is untrue and misleading.

Companies that release both film and disc versions take the sound only on film. They then transfer it to the disc.

WORTH ITS WEIGHT IN GOLD

"EMPIRE CINEMA

"Porth, Rhonda,

Glam., Wales

September 3, 1929.

"Dear Pete:

"Excuse me for being so familiar but we always refer to your Reports as 'Pete Harrison's,' and I must say they have been worth their weight in gold, to me especially, during the great change that is taking place in this industry.

"I turned the handle using oxygen and hydrogen on lines way back in 1890, showing among others Fitzsimmons and Jeffries fight, so have seen a few changes.

"The exhibitors have a real friend in you and I enclose my cheque with the best wishes for yourself and your Reports.

"Yours truly,

"J. WALTER BYNORTH."

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FORTY-EIGHT TO NINE—OR MORE THAN FIVE TO ONE

This week's statement from Mr. Abram F. Myers, President of Allied States Association, contains, among other matters, a talk about our trade papers.

"Our leaders," says that part of the statement, "by mail and at meetings have been canvassing the exhibitors to ascertain which trade papers they subscribe for and which ones they rely on. The information at hand is too scattered to permit of a detailed statement at this time, but there is enough to indicate that the results when (and if) made public will be startling. One inference which may be safely drawn from the data thus far collected is that the placing of producer advertising is controlled not by the circulation of the advertising media but by their editorial policy. Certain regionals having a strong circulation in their respective territories receive virtually no advertising, presumably because of their pro-exhibitor policy. Certain nationals, amenable to producer influence, are crowded with advertising, although practically no exhibitors subscribe to them and still fewer read them.

"Perhaps it is only fair to say that in every census thus far taken HARRISON'S REPORTS, which carries no advertising of any kind, is away out in front. At the recent meeting in Salt Lake City it appeared that there were forty-eight subscribers to HARRISON'S REPORTS to nine for all the others. Seven received a certain national for which they did not subscribe."

In other words, of the exhibitors that were present at the meeting in Salt Lake City, five and one-third subscribe to HARRISON'S REPORTS and one to all the other trade papers combined.

That HARRISON'S REPORTS is a powerful influence among the thinking exhibitors was well known to me, because the results at the box office proved it repeatedly. People do not pay fifteen dollars a year to a four-page weekly paper unless they get value "received." But that it should top in influence the other trade papers combined by more than five to one is somewhat of a revelation. It is certainly a gratification to me, which no amount of money can buy. It is the result of more than ten years of toil and of service to the independent exhibitors.

Years ago, when I was battling against the injustices of the producers, I would receive a letter from an exhibitor now and then encouraging me to carry on and stating that if I kept that policy every exhibitor in the United States would be "clamoring" for HARRISON'S REPORTS. That prediction has been almost fulfilled; although every independent exhibitor does not yet subscribe, five and one-third exhibitors out of each six that subscribe to trade papers is more than I could hope for.

* * *

While we are on this subject, I might add that Mr. Myers is perfectly correct in stating that the producer advertising is "dished" out in accordance, not with circulation, but with kind of editorial policy. It is clear to every thinking person that an advertisement in a regional trade paper will do the producer-distributor at least a dozen times the amount of good that it would do him if he had placed it in some of the national publications. But most distributors do not favor the regional publications because they cannot control them; not, at least, most of them. On the contrary, they are persecuting them, because of their friendly attitude toward the exhibitors, an attitude which is natural, when one bears in mind that their editors are in daily contact with the exhibitors and with the exhibitor leaders.

National trade papers are often left with the wrappers on; regional papers never, because every exhibitor is interested in local doings, but not all are in national doings.

The policy of the producers to destroy the regional publications is just as short-sighted as is the policy of the circuits to draw all the business to the down-town houses, forcing the neighborhood and the small town houses to close their doors. Just as the neighborhood houses make picture-goers by taking the child and instilling in it the picture-going habit, so do the regional trade papers—they create a demand for a new brand of product or cause the demand for an established product to continue. Let them destroy the regionals and they destroy the best brand selling mediums.

THREE MORE EXHIBITOR ORGANIZATIONS UNDER THE ALLIED STATES BANNER

M. P. T. O. of Wisconsin, New England States, and Intermountain Theatre Owners Association, covering parts of Idaho, Utah, Wyoming, and Nevada, are the latest organizations to affiliate with Allied States Association.

The Wisconsin M. P. T. O. voted to affiliate after a two-day strenuous convention, held on the tenth and the eleventh of September. There was opposition from the circuits, but it was eventually overcome by the loyalty of the independent theatre owners.

New England States joined Allied States at a convention held in Boston on the seventeenth.

Intermountain joined the Allied on the twentieth of this month, at the convention which was held in Salt Lake City.

Credit for the affiliation of the Wisconsin M. P. T. O. is owed to the tireless work of Mr. Henry Staab, secretary of the organization, and member of the Wisconsin Legislature; credit of the affiliation of New England States is owed to the great efforts of Mr. Ernest H. Horstman (106 Broadway, Boston), who is acting as Executive Secretary and Treasurer, and to Mr. Nathan Yamins, an old standby of exhibitor organizations; credit for the affiliation of Intermountain is owed to the earnestness of Mr. Homer Holmgreen (Walker Bank Building, Salt Lake City), Secretary of the organization since its inception.

Exhibitor organizations realize, as do individual exhibitors, that strength lies only in unity and are rallying under the Allied banner.

Every state or zone organization will be under the Allied banner soon. The accomplishments of Allied States, under the leadership of Abram F. Myers, have been so great, and have been brought about so rapidly, that they act as a magnet.

If your organization has not yet joined, urge the officers and your friends among the members to join at once. Let there be a one-hundred per cent Allied organization. Remember that Allied States is a purely exhibitor organization; no producer has any influence over its policies.

IT IS A SHAME!

Mr. Merritt Crawford, an old writer in the moving picture business, has been exerting superhuman efforts to arouse the industry and to move it into helping two old pioneers, both of whom are in dire want. One of them is Jean Acme LeRoy, and the other Eugene Austin Lauste. The former is partly paralyzed and is unable to care for himself, let alone work; the other is enfeebled by age.

It is a shame that in an industry that has made so many millionaires there isn't a spark of human kindness left to care for those who had contributed their share in making it possible for many people to amass millions.

Isn't there someone in this industry grateful enough and big hearted to start something that will make the last years of these two inventors comfortable if not happy?

"The Careless Age" (100% T-D)*(First Nat., syn. 6,308 Sept. 15; sil. 6,428 Oct. 13)*

This is one of those pictures that offer great surprises. The title leads one to believe that it will consist of nothing but drinking and cutting up by youths, but in reality it is a powerful drama. How powerful it is may be gathered by the fact that a father decides to tell the police that the murder had been committed by himself, his desire being to save his young son, whom he worshipped, from being tried and surely convicted of the crime. The action that leads up to this point makes the resolve of the father convincing in the extreme. The story gives an opportunity to Douglas Fairbanks, Jr., to rise to unprecedented heights as a dramatic actor. He is the young dutiful son of a knighted London surgeon, a famous one, who studies medicine. His hard studies nearly cause a breakdown to his health, and his father, who had promised his wife on her deathbed to take care of "her" boy, urges him to go to Italy to have a rest before taking his examinations. Although the young man had never shown traits of being woman crazy, he becomes madly infatuated with a London actress, who, feeling lonesome, had conceived the idea of relieving her lonesomeness by "kidding" the young man. When they return to London the young man tries repeatedly to see her but she will not see him, for she is in love, too, and her heart is broken because her sweetheart is infatuated with another woman, neglecting her. The young hero is almost out of his mind and calls on the actress, even though he was uninvited, at a time when she was holding a party. She orders him out of her room. Right at that moment her sweetheart knocks at the door, and she spirits the hero out of her room through another door. After the sweetheart had left, the hero returns and in a fit of frenzy chokes her. He then returns home and confesses to his father. The father, frantic by the unexpected act of his son, admonishes him not to speak, and decides to go to the actress's and to tell the police that it was he who had committed the murder, the motive he would give being his desire to save his son from the unscrupulous woman. But he finds the actress alive, although in a semi-conscious condition. She regains consciousness, but when she sees the young hero's father there she tells the police that she did not know who was her assailant. The young hero, unwilling to see his father take the blame for a crime that had been committed by him, goes to the actress's but the father takes him away, admonishing him to remain silent.

The plot has been founded on the play "Diversion," by John Van Druten. It was directed by John Griffith Wray. Holmes Herbert is the father, Loretta Young the hero's sweetheart, Carmel Myers the actress, Kenneth Thompson, the hero's brother. The words are clear.

Nothing is shown that would offend any one; nevertheless it is not a Sunday School picture. Its silent values are high. (Time for the synchronized version, 70 minutes.)

"The Wagon Master" (35% T-F&D)—with Ken Maynard*(Universal; Sept. 8; syn. 6,335 ft.; sil. 5,697 ft.)*

A typical Maynard Western, with plentiful stunt riding and tricks, fights and thrills. In addition, he sings several songs, accompanying himself with a fiddle or guitar. Mr. Maynard's voice is pleasing. The dialogue and sound effects are so interwoven with the titles that it is difficult to estimate the exact amount of talk; various characters speak odd lines now and then and the action is smooth at all times. The usual love story is added into this tale of early Western life, where wagon freight trains carried provisions against great odds between the various mining towns:—

When the wagon master is killed by his rival's men, Maynard is elected to take his place. He rescues the heroine and her father, a lone pioneer, who join their party. The villain's head man wants the heroine and wants also to be wagon master. He attempts to disband the wagon train by getting the men drunk. The heroine overhears his plans and informs the hero. He immediately attempts to get his men together and the hero succeeds in beating him after a thrilling whip fight, which takes place in the saloon (where the sound effects are particularly effective). The hero brings the wagon train to the settlement just in time to prevent the villain from forcing the miners into signing an outrageous agreement to make him sole wagon train owner.

Edith Roberts is a pleasing heroine. Tom Santschi is the villain and Al Ferguson is the would-be wagon master. Tarzan, the horse, does his bit.

Harry J. Brown directed it from the story by Marion Jackson. (Time by watch, 79 min.)

"Tonight at Twelve" (100% T-D&F)*(Univ., Sept. 29; syn. 6,884 ft.; sil. not yet set)*

Fairly good. It is a melodramatic mystery farce, in which there are light laughs all the way through, at times strong ones. The cause of the mystery is a note; the hero's mother suspected her husband as having written it to one of three women friends of theirs. This accusation brings about unhappiness to three homes in that each husband suspected his wife of having been the intended recipient of the note, even though each wife asserted innocence. The young hero takes it upon himself to bring about tranquility to all; he takes the blame upon himself, by asserting that his father had written the note to him. But even though this supposed confession of his clears up things for a while, complications again arise. But everything is straightened out in the end.

The hero seems to have married the wrong woman. Madge Bellamy, who takes the part of the daughter of one of the three friends, is the lucky girl. But he should have married his mother's maid, who, too, loved him, because she stood by him when he needed help, even to the extent of tolerating to have it implied by him, the hero, that there were improper relations between them, whereas Madge Bellamy had refused to stand by him. This is a defect that hurts the picture somewhat.

The plot has been founded on the play by Owen Davis; it was directed by Harry Pollard. The sound reproduction was pretty good at the Colony, where it was shown. Madge Bellamy, Robert Ellis, Margaret Livingston, Vera Reynolds, Norman Trevor, Hallam Cooley, George Lewis and others are in the cast.

"Speedway" (Silent)—with Wm. Haines*(M-G-M, Sept. 7; syn. and sil. 6,962 ft.)*

This is a rehash of Haines' earlier productions, which has been attached to an automobile racing story, such as were given to the late Wallace Reid. Mr. Haines is again presented as the violent love maker, an egotist, who eventually succeeds in making the heroine fall head over heels in love with him. He also wins the automobile race, in which the villain took part. To be exact, he does not run the final lap, but lets his foster father run it himself; he did this to bring joy to the old man and the satisfaction of having beaten the villain, who had used foul means to beat him the year before. There is some human interest in the situation that shows the hero pretending to have injured his eye with a view to compelling his foster father to run the race, thus making it possible for him to get the glory. The racing scenes will, of course, thrill such spectators as revel in melodramas.

Byron Morgan wrote the story. Harry Beaumont directed it. Anita Page plays the heroine's part. Ernest Torrence, Karl Dane, John Miljan, Eugenie Besserer, and Polly Moran are in the cast.

Good as a program filler. (Time for the synchronized version, 76 minutes.)

"The Spy of Madame Pompadour" (Silent)*(Ameranglo, Sept. 7; 8,300 ft.)*

This is a costume play, produced in Germany. It deals in an interesting way with the doings of a spy of Madame Pompadour, the famous mistress of Louis the IV, whom the King sends to Russia to impress Paul, the mad Czar, with the friendship of France, and to work against England, which was trying to make her influence greater than that of France. The role of the spy is impersonated by a young woman who masquerades as a man. The action unfolds in a fairly interesting manner, and there are some suspenseful situations.

The picture was produced by Emelka Films, of Munich. Karl Grune directed it. In the cast are, Liane Haid, Alfred Gerasch, Agnes Esterhazy, and others.

"Silent" exhibitors may book it if there is nothing else in sight. It is particularly fitted for Little theatres (nut houses).

"Married in Hollywood" (100% T-FN)*(Fox, Nov. 10; syn. 9,800 ft.)*

The Fox Corporation must have spent a fortune in making this picture. When it was brought in New York there was, as I understand, an argument whether it should be given a long Broadway run at high admission prices or be shown directly at the Roxy. The decision to put it at the Roxy prevailed. And it was a wise decision, for, although from the point of view of money expenditure it is worth a two-dollar admission price, it is not worth such a price from the point of view of entertainment. It is in the main an operetta, and such entertainments do not appeal to the rank and file. It is only in two or three situations that it can be depended upon to please such picture-goers. One of such situations is where the Prince, ordered arrested by his mother, the Queen, outwits the guards and escapes, rushing to the heroine, a singer at the Vienna Opera House, whom he loved and whom he intended to marry. It was for her that the Queen had taken the unusual step of having her own son arrested. The other noteworthy situation is in the end, where the Prince, having been shorn of his title by a revolution in his country, accidentally meets the heroine in Hollywood. She had gained fame there as a moving picture actress. The Prince had reached there by working his way on a steamship as a coal passer. These scenes occupy very little of the length. All the other action is love-making between Prince and heroine, and operatic singing. There is too much footage wasted in such action, however, the result being that one is made impatient waiting for the end. The picture has been produced lavishly; there is some excellent music in it, and it will undoubtedly appeal greatly to cultivated picture-goers.

The best songs are sung by Norma Terris, the Magnolia in Ziegfeld's "Show Boat" (as the heroine), and J. Harold Murray, leading man of "Rio Rita" (as the hero). Miss Terris is shown singing on the ship returning home to America from Vienna, supposedly running away from an unlucky love affair with a Prince of a Balkan Kingdom. The pathos with which she sings a song is in mood with her state of mind. The technicolor scenes in Hollywood, being an exact reproduction of her own love affair with the Prince in Vienna, an inspiration of her own, are extremely beautiful; she wanted this story produced to get a chance to give vent to her feelings by "murdering" the Prince. The part, as it is, is taken by the Prince himself; he had arrived in Hollywood penniless and had been hired as an extra to fill the part that was to be taken by a famous actor, but which could not be taken by him because he had (conveniently) injured his foot. These scenes are tensely dramatic. The stage settings are most lavish. The costumes are gorgeous, particularly in the technicolor scenes, the color of which does not jar.

The plot has been founded on the operetta of the same name by Oscar Straus. Marcel Silver directed it. Some of the others in the cast are Walter Catlett, Irene Palasti, Lennox Pawlee, Tom Patricola, Evelyn Hall, John Garrick, Douglas Gilmore, Gloria Grey, and Paul Ralli. The reproduction is pretty good.

Fox is not going to make a silent version for this picture. (Time by watch, 1 hour and 46 minutes.)

"The Love Trap" (19% T-F&D)—with Laura LaPlante*(Universal, Aug. 5; syn. 6,233 ft.; sil. not determ.)*

A pretty fair bedroom comedy drama. There are some laughable situations in the bedroom scenes, where most of the fun takes place; these are handled deftly. The best work is done by Miss LaPlante, as a poor chorus girl, and Norman Trevor, as the hero's uncle, a judge, who gets himself into a mix-up with the heroine. Neil Hamilton is a pleasing hero. Robert Ellis is the rounder and Clarissa Selwynn is the hero's society mother and the judge's sister:—

The heroine, out of a job, at the suggestion of her pal, accepts an invitation to the rounder's party. He gets her into a compromising situation, to which the judge is a witness. Later in the evening, as she is sitting in the rain watching her effects which had been put on the street by her landlady for non-payment of rent, she accepts the hospitality of the hero, who saves her furniture and eventually marries her. After a year of happily married life, the hero's mother returns from abroad and with her brother, the judge, meets the heroine. The judge attempts to buy her off by persuading her to get a divorce. But the

heroine compromises him so that when her husband comes home and finds them both in the bedroom, she succeeds in proving to her husband that she is only a victim of circumstances and not a bad girl as the judge believed. Thus she retains his love.

Wm. Wyler directed it from the story by E. J. Montagne.

It should make a fair silent picture. (Time by watch, 70 min.)

"Whispering Winds" (55% T-F&D)—with Patsy Ruth Miller, Eve Southern and Malcolm McGregor*(Tiffany-Stahl, Sept. 5; syn. 5,846 ft.; sil. not determ.)*

Though familiar, this makes a nice little neighborhood program picture for the reason that it is well directed, the talk is clear, and sympathy is aroused for the heroine. Whoever sings the theme song, has a fine singing voice. Patsy Ruth Miller is sweet as the heroine who loves the hero so much. Malcolm McGregor is an attractive hero. Eve Southern is beautiful as the other woman. Others are Eugenie Besserer as the hero's mother and James Marcus as Miss Southern's "pappy":—

The hero loves the beautiful daughter of a fisherman but his mother wants him to marry the heroine. When the hero goes away for a week, he comes back to learn that his sweetheart has gone to New York to become a famous singer. He marries the heroine but never forgets the other girl. From time to time he hears her voice over the radio and two years later, on his baby's birthday, she returns to the little village. The heroine is determined to find out if her husband still cares for the singer and so invites her to their home. She pretends to hate babies, and to have become hard and vulgar so that the hero would give up his love for her. The heroine asks her why she had so sacrificed herself and she tells her that it is for the sake of the hero whom she still loved but whom she knew she could not have.

James Flood directed it from the story by Jean Planette, dialogue by Charles Logue. (Time by watch, 60 min.—Silent values fairly good.)

It should appeal to women more than to men.

"Words and Music" (100% T-F)*(Fox, Aug. 18; syn. 5,818; sil. not yet fixed)*

This musical comedy was not given a first-run showing in this city; it was shown first at the New York Theatre, a Loew "dump," but it deserves a Broadway showing much more than "Four Devils," "The River," or "Christina," for it is a far better entertainment. It is, in fact, a pretty good entertainment and any exhibitor that will pass it up as Fox did will make a mistake. The story is supposed to unfold in a college, and to show the students presenting an annual frolic. The lavishness with which the shows are put on during this affair could not, of course, by any stretch of imagination be put on at colleges, for they would cost a fortune. To this extent, the story is unbelievable. But it has been produced so well, that the majority of picture-goers will overlook this defect. The interest of the spectator is held pretty well. There is good music and some excellent group dancing by chorus men and by chorus girls. In addition, there is considerable comedy. Most of the comedy is provoked by Miss Elizabeth Patterson, as a dean; she is a "kill joy" to the students; she always wants to report them. The scenes where she, after being informed by another girl student that the heroine (Lois Moran) was in the fraternity house alone, goes to investigate and the students toss her in a blanket, ignorant of her identity, are side-splitting; the heroine, masquerading as the dean, was about to pay them a visit to frighten them, but her plans are spoiled when the girl that disliked her informs "Dean Crockett" about it. The scenes where the students lock the dean in a room so as to prevent her from doing more mischief also are comical.

The plot has been founded on a story by Frederick H. Brennan and Jack Edwards. It was directed by James Tinling. Lois Moran is the heroine. Some of the others in the cast are, David Persy, Tom Patricola, William Orlamond, Michael Byrne and Richard Kenney. The lines are fairly clear.

This picture has no silent values. (Time by watch, 65 minutes.)

CAN THE HANDS OF TIME BE MOVED BACK?

"The end of three years of sound entertainment," writes Mr. David Barrist, editor and one of the publishers of *The National Exhibitor*, of Washington, D. C., of *The Exhibitor*, of Philadelphia, and of *The New York State Exhibitor*, published in New York City, "finds a very definite trend toward silent pictures among the classes formerly favoring the thriller type of movie so-called horse operas.

"Reports are trickling through of picture houses featuring 'silent nights' and doing twice or better the business done on talkie nights. And if the whole story were told, a goodly percentage of patrons of the better class movie cathedrals would share this opinion and would much prefer that their entertainment be silent.

Two factors are responsible for the growing apathy to the talkie. The first is the atrocious recording and reproduction, for which the producers and exhibitors are equally guilty—a condition rapidly being corrected as the manufacturers acquire some fundamental knowledge about recording and the exhibitors junk their bootleg equipments and install apparatus that will function with some degree of satisfaction . . .

"Sound, as a box-office magnet, is suffering from the ignorant failure of the producers to recognize the palpable fact that only certain types of stories lend themselves to sound reproduction. The musicals, the mystery thrillers and the polite drawing-room comedy—these are for sound; but none others. Actuated by the knowledge that a talkie will fetch a helluva lot more dough than a silent picture, the maestros of the movies are grinding out talkies that shriek their inferiority from the very theatre tops.

"The success of such silent picture as 'Single Standard,' 'Four Feathers,' and others, is concrete proof that the silent picture is still desired by more than the deaf and mutes of our citizenry."

* * *

I have great respect for "Dave" Barrist as a writer and as a business man, but I cannot agree with his deductions that people as a whole prefer silent pictures to "talkies." Talking pictures are here to stay and any attempts on the part of responsible persons in the motion picture industry to evict them from the position they now occupy is like making an attempt to move back time. Things cannot stand still—they must progress or die; and in our march of progress talking pictures have taken the lead.

The causes that draw patrons to silent pictures is poor recording, and the consequent poor reproduction of sound, or poor reproduction, even though the recording may be first class, but the main cause is the fact that at least seventy-five out of each hundred of the persons that are not deaf are hard of hearing. Talking pictures would have survived poor sound if it were not for this fact. It is the difficulty of these persons to understand what the actors are saying that drives them to the silent pictures. From this, producers will, I am sure, realize the necessity of good recording, and the exhibitors, of good reproduction. And good reproduction cannot be had with bootleg outfits.

Every day brings me mail that asks my advice as to what instrument the inquirers should buy. My advice is for them to buy an instrument from one of the reliable concerns, a concern that will be in business for years to come, so that it may fulfill its obligations towards them. An attempt on their part to save money now by buying a cheap outfit is of no avail, for what they may save now they are bound to expend later, and more of it, in loss of business, because of the poor sound.

Incidentally I might add that there is bound to be poor sound so long as there are disc sound pictures. As said before, there is no way by which an exhibitor could tell how many times a record had been run; consequently, when a distributor scrapes the old labels off the used records and pastes on new ones, the sound will be bad. So my advice to those that want to make a sound installation is to buy the film instrument only. For the good of the business, the disc must go; when exhibitors install the film mechanism only, they bring about the death of the disc much more quickly. They may suffer some loss now by their inability to show pictures that have only sound on disc versions, but such loss will be only temporary, for the companies that presently put out only sound-on-disc versions will be soon compelled to put out also film sound versions; they have the negatives in stock, why shouldn't they do it? Warner Bros., for example, record most of their productions first on film and later on disc; they could just as well have also film versions.

LOOK OUT FOR THE REFORMED ROAD SHOW CLAUSE IN THE WARNER BROS. FRANCHISE

The designations as to what is a "Road Show" picture in the early Warner Bros. franchise form was as follows:

"(a) Roadshow Motion Picture Productions are any motion pictures released by the Distributor which shall be exhibited in the main theatrical district of New York, Chicago, and one other key point on a pre-release basis, that is to say, on the basis whereby only two shows a day are given, at advanced admission prices and such exhibition in the main theatrical district of New York City shall be for not less than four consecutive weeks."

This clause defines what a Road Show motion picture is pretty equitably; it makes it obligatory that a picture be shown in New York, in Chicago and in one other key city, at high prices, for at least four weeks, before such a picture may be put in the Road Show class.

Today, however, I received a copy of a franchise from an exhibitor the Road Show clause of which is entirely different. It reads as follows:

"(a) Road Show Motion Picture Productions as referred to herein are motion pictures released by the Distributor which shall be exhibited in the main theatrical district of New York or elsewhere on a pre-release basis for one or more weeks, that is to say, on a basis whereby only two shows a day are given at advanced admission prices."

In other words, Warner Bros. can, by virtue of the provisions of this reformed Road Show defining clause, take a regular picture, show it in a town of ten thousand population, at advanced prices of admission on a basis of two shows a day, for one week, and call it a Road Show picture, forcing the franchise holders to pay Road Show picture prices for it, irrespective of whether such picture is or is not of Road Show calibre.

An attempt to slip over the exhibitors so one-sided a clause, a clause that makes possible the gravest of abuses, might have been excused if it concerned a one-horse company; but it is different when it concerns Warner Bros.; it is unworthy of them; under it the gravest abuses might be practiced.

But, you might ask, would Warner Bros. resort to such tactics?

It is not a question as to whether they would or would not resort to such tactics; they have already resorted to them, if the information supplied to this paper by an exhibitor to the effect that they have sent him notice of availability of play-dates for the first ten from the "Super Specials" list as Road Show pictures is correct; none of such pictures has complied with the Road Show provision of the first franchise. As I stated in HARRISON'S REPORTS before, "Gamblers," "The Hottentot," and "The Argyle Case" were not roadshown in this city, in accordance with the provision of the original franchise; they were shown at the Strand Theatre, this city, at regular admission prices, on an all day long grind basis. This is, of course, a violation of the franchise in the case of those that hold a franchise with the original Road Show defining clause, and puts them in a position where they can refuse to accept it as a "Road Show Motion Picture Production"; but it is not a violation of the franchise in the case of those that hold a franchise with the modified clause.

It seems as if Warner Bros. are back to their old tricks, practiced by them in the days when they would sell you a tennis picture and deliver a coal mining picture ("White Flannels"), or a modern society drama ("The Climbers"), and deliver a wild Spanish melodrama of the XIV Century. For this reason, I wish to warn you to look out. He who has already affixed his signature to a franchise containing the modified form of the Road Show defining clause and wants to get rid of it may consult his lawyer with a view to bringing action in the courts for its cancellation on the ground that there is inequity, not only in this clause, but also in clause 9, which binds the exhibitor in case he sells his theatre, obligating him to exact an agreement from his successor to carry out the terms of the franchise, but does not bind Warner Bros. in case they should sell out. His lawyer may advise him to refuse to perform the contract at all, leaving it up to Warner Bros. to take court action (there is no arbitration clause in it, and therefore they cannot summon the franchise holder before an arbitration board). Remember that an action in the court must be brought in the district where the defendant lives.

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WHEN A FIRST NATIONAL FRANCHISE HOLDER SELLS HIS STOCK!

The following interesting question has been submitted to this office by an exhibitor, holder of a First National franchise.

"I hold a First National Franchise but for the last two years pictures have been sold to me on an open market basis and last Spring Warner Bros. bought back the stock issued me for my deposit of \$300. Will you kindly give me your opinion as to whether or not I am still holding on this franchise?"

In looking over the franchise I fail to find a provision for such a case. Clause 18 provides what shall be done in case the franchise holder decided to cancel his franchise; it stipulates that the money he paid for the stock shall revert to the Company together with the stock. Clause 19 provides what shall be done in case the Company decided to cancel the franchise. Clause 20 holds the stock as collateral to reimburse the company in the event the franchise holder failed to carry out the terms of the franchise. Clause 21 puts other chains around the neck of the franchise holder, making it obligatory for him to refrain from selling his stock to anyone. But there is no provision as to what shall be done with the rights of the franchise holder to the franchise in the event that the stock was sold to the company or to any other company or person and no steps were taken by either party to cancel the franchise.

As I said before in these columns, I am not a lawyer, but I should think that Warner Bros. has no right to purchase the franchise holders' stock, by reason of the fact that Clause 21 forbids the transfer; it reads as follows:

"All voting trust certificates of stock in the Exchange held by the Franchise Holder, his executors, administrators, representatives or assigns, shall contain upon the face thereof words substantially to the effect that such certificates are issued and only transferable in accordance with and subject to the terms and restrictions of this agreement between Company and Franchise Holder, and that transfers in violation thereof are void. All transfers thereof in violation of the provisions of this agreement shall be void and Franchise Holder thereby directs the Exchange, voting trustees, transfer agent or registrar under the voting trust agreement, pursuant to which such voting trust certificates are issued, to make no transfers of such voting trust certificates or of the stock represented thereby except in accordance herewith."

This clause, as I understand it, renders all transfers of stock to Warner Bros. illegal and makes it impossible for Warner Bros. to vote it. It is also possible that it gives the right to the franchise holder to sue Warner Bros. for the recovery of such stock, by virtue of the fact that, when the heads of Warner Bros. were buying it, they knew that they were buying something they had no right to buy.

The question now arises whether Warner Bros. is or is not the "Company"; it controls First National by virtue of the control of the majority of the stock. But does such control, which has not been approved by the government yet, make Warner Bros. the Company? The determination of this matter is important.

Some exhibitors question the value of the silent rights when the silent versions cannot be shown.

It is only when the exhibitor runs silent pictures that these rights are worth something; First National cannot sell its sound pictures in a "protected" zone, unless it first secures the permission of the franchise holder.

I do not know what is in the heads of the Warner Bros. executives in desiring to gather all the stock that is held

by the franchise holders. But if the stock is valuable to Warner Bros. it must be as valuable, and perhaps more so, to the franchise holder. Let us not forget that First National has not rendered a statement of its profits or losses since it sold the stock and that the holder of such stock may sue in the courts for an accounting.

My advice to you is to hold on to your stock, unless you get a good price for it. It will not hurt Warner Bros. in the least to give you back some of the excessive profits they made out of you in the last two years in the form of "hold-up" score charges.

WHAT IS THE WARNER BROS. RECORDING—ORIGINAL OR "DUPED"?

I have been informed that the Warner Bros. salesmen, in order to exact high prices for score, assert that the recording of their company is original in contrast with the disc recording of all other companies, which is "duped."

That the disc recording of all the other companies is "duped" is true; but that the recording of Warner Bros. is original is false and misleading.

In the early days, the Warner Bros.' recording was original. A few scenes, such as could be photographed one after the other without many changes in the sets, would be recorded on a single disc. Each record would have an inch or less of recording, instead of the full recording that is on the disc today.

This method of recording, however, was abandoned early, because it was, first, too expensive for the distributor in that it required a large number of records; secondly, too expensive for the exhibitor in that he had to pay out veritably half of the receipts in express charges; and thirdly, too hard for the projectionist to handle. Besides, the danger of shipping the wrong records was great.

The method substituted was this: They would run the records that belonged to the same reel through a reproduction machine and would re-record the sound on a single record. In this manner the number of records were made to correspond with the number of full reels.

Lately, however, they have abandoned even this method. They are now recording, as I have been informed reliably, on film, and after the recording is completed they re-record the sound on disc matrixes. This makes the Warner recording "duped" recording. That is why I have said that the statements of the Warner salesmen to the effect that the Warner recording is original is untrue. It was untrue even before they adopted the film recording, when the different discs would be re-recorded in as many discs as there were full reels.

At present all disc recording is duped. This includes every producer. From this you will realize the necessity of abandoning the sound-on-disc reproduction system, regardless of what action some producers may take.

HARRISON'S REPORTS notices with great joy that lately the exhibitors in general seem to favor this campaign against the disc. Several subscribers have informed me that they either have installed a talking picture machine that takes only the sound-on-film, or they are planning to install such a device without the disc attachment.

If you are contemplating to install an instrument, make your agreement for only a sound-on-film outfit. The more of you abandon the disc attachment the quicker the disc-recording (duping) producers will put out sound-on-film versions. There are enough good sound-on-film talking pictures produced now to enable you to take care of your needs.

"Three Live Ghosts" (100% T-FN)

(*U. Art.*, Sept. 15; syn. 7,486; sil. not yet determ.)

"Three Live Ghosts" is one of those pictures which are ushered in unannounced, but which offer a surprise. It is one of the cleverest comedies presented for some time. At the Rivoli Theatre, where it started its run on Friday, last week, people were kept in roars at the doings of the characters, particularly of the three live "ghosts," Charles McNaughton, Robert Montgomery, and Claude Allister. Of the three "musketeers," Claude Allister is the most outstanding; as "Spoofy," he poses as a person who had lost his memory as a result of a shell shock. But the acting of these three is almost outdone by the work of Beryl Mercer, who takes the part of the mother of one of the three friends. Most of the comedy is caused by Claude Allister, whose absent-mindedness had made him turn into a kleptomaniac. The two friends had to watch him all the time, because any time they relaxed their vigil he would go somewhere and come back loaded with articles, from diamond rings down to onions. The situation where he is shown returning from an expedition into a lord's home, loaded with the lady's jewels and wheeling a perambulator with a baby in it, himself dressed as a lord, with morning coat, striped trousers and silk hat, is a scream. In addition to comedy there is also suspense. This is caused by the fear of the two friends lest they be caught by Scotland Yard and be accused of the kidnapping of the baby as well as of the theft of the jewels. The closing scenes, during which "Spoofy" (Claude Allister), is shown regaining his memory as a result of a blow on the head by a policeman's stick, revealing the fact that he is Lord Leicester himself, and that the jewels were a wedding present from him to his wife, should prove a distinct surprise to the spectators, although some of them will guess "Spoofy's" identity by the ease with which he wore a lord's clothes, and by certain acts that distinguish a gentleman.

The plot has been founded on the stage play by Frederick S. Isham. Thornton Freeland directed it with a masterly hand; one is made to feel as if the action unfolds in real England, and as if he hears real Englishmen, with their pleasant accent, speak. Hilda Vaughn, Harry Stubbs, Joan Bennett, Nancy Price, and others are in the cast. The reproduction of the voices was good at the Rivoli, where the picture was shown, and the lines were clear at all times. (Film version shown. Time, 88 minutes. No silent version will be put out by United Artists, although the silent values of it are great.)

"Blackmail" (100% T-FN)

(*World Wide*, syn., about 7,100 ft.; no rel. date set)

"Blackmail" was produced in England, by British International Films, Ltd. Its quality is such that it will make the exhibitors of the United States feel as if some measure of relief will be brought from England, for when pictures of this and better calibre are brought here the prices of the American films are bound to be affected. Although "Blackmail" cannot be considered a "knockout," it is, nevertheless, a very good entertainment. The good quality of the recording is particularly noticeable; it is free from ground noises and what the characters say is at all times intelligible. The voices are not blasts at times, and inaudible at other times; they are even. The story possesses interest; it

keeps the attention of the spectator in a fairly tight grip all the way through.

It is a murder melodrama, in which the young heroine is shown murdering a young man who had lured her into his apartment and attempted to assault her. Her sweetheart (hero), a Scotland Yard detective, is assigned to investigate the case with a view to finding a clue. His discovery of a glove belonging to the heroine reveals to him the fact that it was she who had committed the murder. He calls on her and cautions her to keep silent, but a loafer had spied on the heroine when she was entering the murdered man's apartment and had followed her to her home, and when the news about the murder appeared in the newspapers the following morning he knew who had committed the murder. Thereupon he proceeds to blackmail the hero, demanding money as the price of his silence. The hero is frightened and gives him money, but when a telephone message from the central office gives him a description of the blackmailer, ordering his arrest as a suspect, the hero's attitude is changed from one of fear to one of confidence. The blackmailer, on the other hand, cowers when he is told that he is wanted at headquarters and pleads with the hero to let him go, promising to keep silent in return. When he sees the hero inflexible he attempts to escape. In running away, he crashes through the skylight of a museum's dome and is killed. In the meantime, the heroine, unable to withstand the strain, goes to headquarters with the purpose of confessing. The hero finds her there in time to induce her to remain silent.

Anny Ondra, as the heroine, Sara Allgood, as the heroine's mother, Charles Paton, as her father, Cyril Ritchard, as the artist, who had been murdered, John Longden, as the detective—all do good work. But the work of Donald Calthorp, as the blackmailer, towers above the work of all others. He is an artist. The sound was recorded by the RCA Photophone (variable width) system.

There will be no silent version. (Time, 78 min.)

"Skin Deep" (100% T-D)—Monte Blue and Betty Compson

(*W. B.*, Sept. 7; syn. 5,940 ft.; sil. not determ.)

This story was made into a picture once before, with Milton Sills in the leading role. There was nothing extraordinary about the old version, and there is nothing extraordinary about this version. The disfigured face of the hero is anything but a pleasant sight. Most of the interesting action is concentrated in the end, where the hero is shown with a mended face. It is also unpleasant to see Betty Compson take the part of a villainess.

The plot has been founded on the story, "Lucky Damage," by Mark Edmund Jones. It was directed well by Ray Enright. Alice Day, John Davidson, Tully Marshall, John Bowers, and Robert Perry are in the cast. The lines are clear. The acting of Monte Blue and of all the others is good. Time by watch, 63 minutes. Silent values only fair.)

"Illusion" (100% T-F&D)—Buddy Rogers and Nancy Carroll

(*Paramount*, Sept. 21; syn., 6,972 ft.; sil. not det.)

It would have been much better for Paramount to run "The Lady Lies" for three consecutive weeks at the Paramount Theatre than to have run

"Jealousy" and "Illusion"; they would have made more money and greater reputation.

Though "Illusion" is not as poor as "Jealousy," it is nothing to brag about. Here and there there is an interesting moment but on the whole it cannot be classed as more than a fair entertainment.

Charles Rogers is an actor, performing magic tricks. Nancy Carroll is his partner; she is in love with him. He, too, is in love with her but he does not know it. He meets a young woman, daughter of wealthy parents. He decides to propose to her. The heroine is heart-broken. The brother of the wealthy young woman befriends the heroine. Knowing the caliber of the man, the hero tries to persuade him to leave the heroine alone. They nearly have a fight as a result. The wealthy young woman, whose father was once a truck driver, gives a circus party. Her society guests, however, talk about her as the truck driver's daughter. The hero realizes that he loves the heroine and decides to confess to the young wealthy woman. The young woman tells him that even if he had come from an illustrious family, with a long line of ancestors, she could not marry him because she could not live down the fact that she was a former truck driver's daughter. The hero goes back to the theatre where the heroine was performing. The heroine, despondent at the loss of the hero, decides to end it all. In her act, she was shot at with rifles, loaded with graphite bullets, although people thought they were real bullets. Instead of substituting the graphite bullets, the heroine leaves the real bullets in. She is shot at with the real bullets, but because those that did the shooting were poor marksmen she is wounded in the arm, not seriously. She is taken to the hospital. After the operation that removed the bullet from her shoulder was performed, the doctor permits the hero to visit the heroine. He vows that he will not quit her again.

Arthur Train wrote the story, Lothar Mendez has directed it. June Collyer, Kay Francis, Knute Erickson, Eugenie Besserer, Maude Turner Gordon, William Austin and others are in the cast. The sound reproduction is pretty good. (Sound-on-Film version shown. Time by watch, 63 min.—Silent value only fair.)

"Hard to Get" (100% T-D)

(*F. Nat.*, syn. 7,324, *Sept.* 8; *sil.* 5,981, *sel. not set*)

This is a comedy; and it is a gem. The spectator is kept in good humor all the way through. At times he is made to laugh heartily. Most of the comedy is caused by wisecracking Jack Oakie, who acts hostile towards his sister, just like a real brother; sometimes he "sasses" her, sometimes she "sasses" him. This talk back and forth is the source of most of the comedy. Some of the comedy is caused by the situations.

The story is not original, but good handling has made it appear as original. It is the old story of a young girl who meets a wealthy young man and is ashamed of her home environment. Like in other pictures of this type, the heroine pretends to the wealthy young man that she is a wealthy girl. In this instance he offers to drive her home, and she gives him an address on Fifth Avenue. By coincidence the address given is that of the wealthy young man's home. This she discovers when she carries on the pretense and enters the house; the hero goes in afterwards. Her brother introduces

her to a young man (hero). The hero happens to be the very same man that had given the heroine a ride once. He learns to love her and is disappointed when she lavishes all her attentions on the wealthy young man. The wealthy man makes an insulting proposal to the heroine. This ends their friendship. The heroine returns home and is glad to accept the attentions of the hero. The wealthy man follows her and begs her forgiveness, offering to marry her. But the heroine, although she forgives him, accepts the hero.

Edna Ferber wrote the story, William Beaudine directed it. Leo Delaney is the hero, and Edmund Burns the wealthy young man. Jimmy Finlayson, Louise Fazenda, Clarissa Selwyn, and others are in the cast. All do good work. The sound reproduction was very good at the Strand, where it was shown. (Disc version shown. Time by watch, 78 minutes. Silent values very good.)

"Oh Yeah" (100% T-F&D)

(*Pathe*, Oct. 19; syn. 6,881 ft.; *sil. not yet determ.*)

This is a railroad melodrama, in which the predominant element is suspense. This is caused by the sight of runaway cars, in which the lives of the hero and of his pals are placed in danger. The sight of the runaway cars should cause spectators to sit at the edge of their seats. The rest of the action, too, is good; it holds the interest well. There is an appeal to the emotions of sympathy here and there. There is also some comedy, most of it being contributed by that fine actress, Zasu Pitts, who takes the part of a garrulous woman. Robert Armstrong does excellent work, as usual. James Gleason, as the hero's pal; Patricia Caron, as the heroine, do good work. Bud Fine, Frank Hagerty, Harry Tyler, and Paul Hurst are in the cast.

The plot, which has been founded on the *Saturday Evening Post* story, "No Brakes," by A. W. Somerville, and which has been directed by Tay Garnett, deals with the hero and his pal who "blow" into a railroad town riding on "side Pullman cars." The railroad officials were warned to watch for thieves and they naturally suspect them. They eventually prove to be the right kind of men and are given jobs. The hero meets the heroine and they fall in love with each other. A man is found slugged and his money taken, and the hero is accused of the crime. When he is unable to convince his pal and the girl he loves that he is innocent his heart is broken. He decides to "blow" out of town on a freight car. His pal follows him, an act which the hero takes as an expression of confidence in his innocence. On the way two crooks, who were the ones that had committed the robbery, attempt to wreck the express train by letting loose a freight car. The hero and his pal notice it, and loosen up another car, their intention being to overtake the runaway car, couple it, and then slow it up, thus preventing the wreck. The crooks attempt to interfere and the hero and his pal give them a battle. Both cars are sent on a sidetrack and ditched. The hero and his pal escape with some injuries. By that time the fact that the hero was innocent becomes known. The heroine visits him in the hospital and begs his forgiveness.

The sound-on-film version was shown. The reproduction is good, the lines being clear.

The silent values are good. (Time by watch, 75 minutes.)

THE DIFFERENT CLASSIFICATIONS OF WARNER BROS. PICTURES FOR ITS DIFFERENT SELLING PLANS

Additional information received at this office reveals the fact that Warner Bros. has a different set of classifications for each of their two selling plans, straight contract and franchise.

For the straight contract the classifications are, No. 1, "Warner Bros. Special Productions"; No. 2, "Warner Bros. Super Special Productions"; and No. 3, "Warner Bros. Productions."

Group No. 1 consists of Nos. 252, 253, 254, and 255.

Group No. 2 consists of Nos. from 256 to 286.

Group No. 3 consists of the three Rin-Tin-Tin pictures, Nos. 287, 288 and 289.

For the franchise, the classifications are: "Regulars," "Specials," and "Road Shows."

The Road Shows are eleven in number; they start with No. 252 ("Say it With Songs") and end with No. 262 ("Hold Everything").

The Specials start from No. 263 ("Tiger Rose") and end with No. 286 ("Sweet Kitty Bellair").

The Regulars are the three Rin-Tin-Tin productions, Nos. 287, 288, and 289.

"Noah's Ark" (No. 187), "On With the Show" (No. 251), and "The Gamblers" (No. 250) are not included in the "The Vitaphone Distributing Corporation Home Office Contract Enclosure"; as I understand it, the first two are sold as straight Road Shows, and the last one as an "Extended Run Production."

I did not have this information when I wrote the article, "The Rights of the Holders of a Warner Franchise," which I printed September 14. Nevertheless, the statements made in that article as to the rights of the franchise holders need no modification. If a picture is not road-shown in accordance with the provision that defines what a Road Show is, then the franchise holder has the right to refuse to accept it as a Road Show Production; he can play it as a "Special," paying prices that are set for Specials. (The difference in the Road Show defining provisions of the later franchises was explained in detail last week).

Take, for instance, the following case: Warner Bros. has sent a notice of availability of play-dates for "Hearts in Exile," "The Gold Diggers of Broadway," and "The Green Goddess." It designates the first two as "Road Shows" and the last one as a "Special."

The classification of "The Green Goddess" as a Special, as exchange classifications go (these are not always based on quality), is correct. And so is the classification for "The Gold Diggers of Broadway"; it is a Road Show picture both from the quality point of view as well as from the point of view of the exchange. But the matter differs when it comes to "Hearts in Exile." This picture has not yet been shown in "New York City, Chicago, and one other key point," as the Road Show defining clause of the early franchise provides; in fact, it has not been shown at all, let alone as a Road Show picture. Therefore, those of the franchise holders that hold an early form franchise have the right to refuse to accept it as a "Road Show" picture, or to pay Road Show prices for it. It is my opinion, in fact, that he may refuse to play it even as a Special, if he has any printed literature in his possession showing that it was sold to him as a Road Show production. His right to refuse to play it is founded on the fact that the Road Show provision has been violated by the fact that Warner Bros. has not shown it as a Road Show picture, unless it recalls it and shows it in accordance with the Road Show provisions, a thing it can do only if it has not yet shown it in regular houses, at regular admission prices, on an all-day-long grind basis.

As said before, I shall watch the release of the Warner Bros. pictures closely and will advise you in case any Road show pictures have been shown as regular attractions so that you may refuse to accept them as Road Show pictures.

AGAIN ABOUT THE "LITTLE FELLOW"

The "little fellow" is again engaging the attention of the Hays crowd. For so many years they did not know he existed; they discovered him only when Allied States held their Washington conference. And, pronto! they proceeded to save him.

They called together the would-be "little fellows" rep-

resentatives in New York to confer with the representatives of the "big fellows." It was decided by the representatives of both the "little" as well as the "big fellows," that the "little fellows" had to be given relief to survive the hold-up prices exacted of them for talking pictures. But try "and" get it!

The first attempts to bring relief to the "little fellows" having failed, the Hays crowd is now making another attempt. It is another try to hoodwink them by leading them to the new Santa Claus, the figurehead of a national supposed exhibitor organization, which no longer exists.

And the comedy continues!

For your information, let me say this, that Pettijohn has no more influence among the producer-distributors, so far as their business affairs are concerned, than has Hays himself. (Hays said he hasn't.) In some quarters, he is laughed at when he talks about readjustment of prices. They do not pay any attention to him. As a matter of fact, HARRISON'S REPORTS has more influence with some of them when it comes to presenting a just exhibitor grievance than Pettijohn ever dreamed of having. So do not pay the slightest attention when he talks about giving the "little fellow" relief. He cannot do anything—not the slightest thing, when it comes to reducing the size of an exhibitor's film bill.

Don't let the Hays crowd hoodwink you again. If you should ever hope to get relief, such relief must come from the real national exhibitor organization—Allied States. The mere action of Allied States in calling the Washington conference, which the Hays crowd tried to burst up, was enough to send the film prices downhill; and what the franchise agreement with Radio Pictures and Tiffany-Stahl has done to these prices is a story you know too well. It needs no repetition.

Stick by Allied States and forget Pettijohn and the rest of the Hays crowd! Their own men have forgotten them, why shouldn't you?

THIS WEEK'S BLUE SECTION

An exhibitor wrote me as follows: "How can you put so much information in so little space of your Blue Section? That section alone is worth ten times the price of the subscription."

I don't know myself how I do it, but the information is there, for every subscriber, big or little, to profit by. And that is all there is to it.

I am always striving to improve it, and your suggestions are welcomed.

That suggestions help, may be gathered by the fact that, the inclusion of the silent releases in this week's Blue Section is owed to the suggestion of Mr. O. W. Davis, of Triangle Theatre, Pittsburgh, Pa. Mr. Davis suggested that I give the silent values of each picture as I review it, and I went further than that; I decided to give the list of silent releases in the Blue Section whenever I can obtain them.

But don't overlook the fact that this information is often given in the *italics* line in the review, where the release date and the footage are given. When there is a silent version of that picture, the footage is given; and whenever the footage is not yet known, it is so stated.

Another addition to this week's Blue Section is the changes of titles for the British market. This information concerns, of course, exhibitors in Great Britain and the rest of the British Empire.

The inclusion of this information, too, is the result of a suggestion of a subscriber, Mr. J. H. Bocca, Manager of the Empress, Horden, Co. Durham, Great Britain. Mr. Bocca writes as follows:

"I consider your journal of tremendous importance and I place a high value on your comments. The few errors you make are more than redeemed by your accurate summing up of the many."

"One difficulty we have to contend with over here:—American titles are often changed when they are submitted to us. Could you not give us both titles as far as it is possible?"

If you have any practical suggestions, send them along. It is my aim to serve you in the best way that I can. HARRISON'S REPORTS is your paper; it is published for the benefit of you, the independent exhibitors. The producers have many papers to use in the protection of their interests. You have only one—HARRISON'S REPORTS.

HARRISON'S REPORTS

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THE MEANING OF THE SOUND SYMBOLS

(AT) means all talk, or 100% talk; (PT), part talk; (F), that the sound is recorded on the film; (D), that the sound is recorded on the disc; (F&D), that the sound has been recorded on both film and disc; (N), that there is no silent version. Thus (ATF&DN) means that the picture is 100% dialogue, that the sound has been recorded on both film and disc, and that there is no silent version. When a picture is marked (F&D), the sound was originally recorded on the film and afterwards transferred to the disc by re-recording. Re-recorded sound is poor unless it is done by experts, persons that have had years of experience in re-recording. Even then, its quality will depend on the kind of sound track used in the original recording, on whether the raw stock was good, and on whether the development of the negative was good or not.

FEATURE PICTURE RELEASE SCHEDULES

Columbia Features

Flying Marine (PTF&D)—Ben Lyon-S. Mason (reset),	June 5
Fall of Eve (ATF&D)—P. R. Miller-F. Sterling (reset),	June 25
Light Fingers (ATF&D)—I. Keith-D. Revier...	July 29
College Coquette (ATF&D)—Ruth Taylor-Wm. Collier, Jr.	Aug. 5
Hurricane (ATF&D)—Hobart Bosworth-J. M. Brown	not set
Acquitted (AT-F&D)—L. Hughes-M. Livingston..	not set

end of 1928-1929 season

First National Picture Release Schedule and Exhibition Values

1929-1930 Season

571 Twin Beds (AT-D); syn. prerelease July 14; nat'l rel. Sept. 1; silent rel. Aug. 4	1,000,000B 1,000,000P
483 Drag (AT-D); syn. July 21; sil. Aug. 11	1,300,000B 1,300,000P
564 Hard to Get (AT-D); syn. prerelease. nat'l release Sept. 8; silent release not yet set	1,100,000B 1,100,000P
523 Smiling Irish Eyes (AT-D); syn. July 28; rel. Sept. 29	Special
494 Dark Streets (The Spotter) (AT-D); syn. rel. Aug. 11; sil. release Sept. 8,	1,100,000B 1,100,000P
575 Careless Age, The (Diversion) (AT-D); syn. prerelease Aug. 18; nat'l release Sept. 15; sil. Oct. 13.....	900,000B
488 Her Private Life (The Other Tomorrow) (AT-D); syn. rel. Aug. 25; sil. rel. Oct. 6	1,300,000B
580 Fast Life (AT-D); syn. rel. Sept. 1; sil. rel. Sept. 29	Special
584 Great Divide, The (AT-D); syn. Sept. 15; sil. Oct. 20	Special
583 A Most Immoral Lady (AT-D); syn. Sept. 22; sil. Oct. 27.....	Special
586 Isle of Lost Ships (AT-D); syn. Sept. 29; sil. Nov. 3	Special
591 Paris (T-D); syn. Oct. 13; sil. release not yet set	Special
577 Forward Pass (TD); syn. rel. Oct. 13; sil. not yet set	1,100,000B
595 Footlights and Fools (T-D); syn. rel. Oct. 20; sil. not set	Special
486 Young Nowheres (T-D); syn. rel. Oct. 27; sil. not set	1,300,000B

Fox Features

1928-1929 Season

Black Watch (AT-F)—MacLaglen-Joy—syn..	June 2
23 Exalted Flapper (Kisses for Sale) (S-F)...	June 9
15 Masked Emotions (Stage D'r.D's) (S-F)...	June 23
Behind that Curtain (AT-F)—W. Baxter—syn.	June 30
14 Black Magic (Vampire A la Mode) (S-F)...	July 7
Pleasure Crazy (AT-F)—D. Burgess—syn...	July 7
Masquerade (AT-F)—Birm'ham-Hyams—syn.	July 7
Words and Music (AT-F)—Moran-Percy.....	Aug. 18
10 Chasing Through Europe (S-F)—Stuart-Carol.	Aug.

1929-1930 Season—Sound

116 Lucky Star—Gaynor-Farrell (PT-F&D)....	Aug. 18
126 Why Leave Home—Carol (AT-F&DN)....	Aug. 25
121 Salute—O'Brien-Chandler (AT-F&D).....	Sept. 1
112 They Had to See Paris—Rogers (AT-F&D)Sept.	8
120 Four Devils—Gaynor (PT-F&D).....	Sept. 15
127 Girl from Havana—Lane-Page (AT-F&D)...	Sept. 22
137 Big Time—Lee Tracy (AT-F&D).....	Sept. 29
125 The River—Farrell-Duncan (PT-F&D).....	Oct. 6
146 Song of Kentucky (Thoroughbreds) (AT-F&D),	Oct. 13
118 The Sky Hawk—Garrick-Chandler (AT-F&D)Oct.	20
Seven Faces—Muni-Churchill (AT-F&D)....	Oct. 27
103 Romance of Rio Grande (Conquistador) (AT-F&D),	Nov. 3
114 Frozen Justice—Ulric (AT-F&D).....	Nov. 10
135 Hurdy-Gurdy Man—Jessel (AT-F&DN)....	Nov. 17
Revue (AT-F&D)	Nov. 24

1929-1930 Season—Silent

163 Lucky Star—Farrell-Gaynor	Oct. 16
Behind That Curtain—Moran-Baxter	Oct. 13
172 The Black Watch—V. McLaglen	Oct. 20
170 Speakeasy—Lane-Page	Oct. 27
178 Salute—O'Brien-Chandler	Nov. 3
169 In Old Arizona—Lowe-Baxter-Burgess	Nov. 10
Masquerade—Birmingham-Hyams	Nov. 17
171 Thru Different Eyes—Lowe-Baxter	Nov. 24

Metro-Goldwyn-Mayer Features

- 1001 B'way Melody (ATDN)—King Page-Love. June 1
 1002 Trial of Mary Dugan (ATDN)—Shearer. June 8
 1003 The Idle Rich (ATDN)—C. Nagel-B. Dove. June 15
 no release set for..... June 22
 905 Wonder of Women (PTD)—Stone-Hyams. June 29
 941 Thunder (SD)—L. Chaney-Murray-Haver. July 6
 924 Last of Mrs. Chynney (ATF&D)—Shearer. July 13
 920 Marianne (ATF&D)—M. Davies-O. Shaw. July 20
 928 Single Standard (SD)—G. Garbo..... July 27

1929-1930 Season

- 45 Madame X (ATDN)—Stone-Hackett—
 Chatterton Aug. 17
 5 Our Modern Maidens (SD)—J. Crawford... Aug. 24
 37 Girl in the Show (Eva 5th) (ATF&D)—Love. Aug. 31
 2 Speedway (SD)—Wm. Haines..... Sept. 7
 39 Unholy Night (Green Ghost) (ATD)—
 Torrence Sept. 14
 33 Wise Girls (Kcmpt) (AT-F&D)—Nugent-Young,
 Sept. 21
 22 His Glorious Night (Olympia) (Cock of the
 Walk) (AT-F&D)—Gilbert Sept. 28
 43 Mysterious Island (S-D)—L. Barrymore... Oct. 5
 920 Marianne (AT-F&D)—Marion Davies..... Oct. 12
 35 Thirteenth Chair (AT-F&D)—C. Nagel.... Oct. 19
 40 Hallelujah (AT-D)—Haynes-McKinney... Oct. 26
 46 College Life (Temp.) (AT)—Elliott Nugent. Nov. 2
 30 The Viking (S-D)—C. Crisp-P. Starke... Nov. 9
 927 Jealousy (Temporary) (S)—Greta Garbo... Nov. 16
 6 Untamed (Jungle) (AT)—Joan Crawford... Nov. 23
 41 Cotton and Silk (AT)—Duncan Sisters... Nov. 30
 48 Hollywood Revue (AT-DN)—All Star..... Dec. 6

Paramount Features

- 2895 The Rainbow Man (ATDFN)—E. Dowling. May 18
 2881 Innocents of Paris (ATFD)—Chev. (re.) May 25
 2876 Man I Love (ATFD)—Arlen-Brian. (re.) May 25
 2891 Studio Murder Mystery (ATFDN)—(re.) June 1
 2826 Stairs of Sand—W. Beery-J. Arthur..... June 8
 2803 Wheel of Life (ATFD)—Dix-Ralston (re.) June 15
 2808 Thunderbolt (ATFD)—Bancroft (re.) June 22
 2823 Fashions in Love (Conc't.) (ATFD)—(re.) June 29
 2828 Div. Made Easy (ATFD)—MacLean (re.) July 6
 2858 Dangerous Curves (ATFD)—Bow (re.) July 13
 2816 Riv. of Rom. (Man Must F') (ATFD) (re.) July 30

1929-1930 Season

- 2953 The Cocoanuts (ATF)—Marx Bros..... Aug. 3
 2928 Hungarian Rhapsody (SD)—Ufa Prod.... Aug. 3
 2952 Mysterious Dr. Fu Manchu (ATFD) Oland. Aug. 10
 2978 Charming Sinners (ATF&D)—Clive Brook. Aug. 17
 2929 The Soul of France (SD)..... Aug. 24
 2964 Greene Murder Case (ATF&D) Wm. Powell. Aug. 31
 2955 Dance of Life (Burlesque) (ATF&D)—
 Hal Skelly Sept. 7
 2983 Fast Company (ATF&D) E. Brent-J. Oakie. Sept. 14
 2879 The Lady Lies (AT-F&DN)—Houston... Sept. 21
 2960 Illusion (ATF&D)—Rogers-Carroll Sept. 21
 2910 Jealousy (ATF&D)—J'ne Eagles-F. March. Sept. 28
 2977 Woman Trap (ATF&D)—Hal Skelly-Brent. Sept. 28
 2909 The Love Doctor (AT-F&DN)—R. Dix.... Oct. 5
 2954 Why Bring That Up? (AT-F&DN)—
 Moran & Mack Oct. 12
 2958 Welcome Danger (AT-F&D)—H. Lloyd... Oct. 19
 2966 Saturday Night Kid (AT-F&DN)—C. Bow. Oct. 26
 2974 Return of Sherlock Holmes (AT-F&DN)... Oct. 26
 2975 Sweetie (AT-F&DN)—Nancy Carroll-Kane. Nov. 2
 2961 The Virginian (AT-F&DN)—Gary Cooper. Nov. 9
 2922 Darkened Rooms (AT-F&DN)—E. Brent... Nov. 16
 2970 The Mighty (AT-F&DN)—Bancroft Nov. 16
 2980 Behind the Makeup (AT-F&DN)—Skelly .. Nov. 25
 2986 Battle of Paris (AT-F&DN)—Lawrence... Nov. 30

Pathe Features

- 9535 The Flying Fool (AT-F&D) (reset) June 23

1929-1930 Season

- 0103 Paris Bound (AT-F&DN)—Ann Harding... Aug. 3
 0105 Awful Truth (AT-F&DN)—Ina Claire... Aug. 10
 0201 Lucky in Love (AT-F&DN)—M. Downey... Aug. 17
 0203 The Sophomore (AT-F&D)—E. Quillan... Aug. 24
 0107 Big News (AT-F&DN)—Robt. Armstrong. Sept. 7
 0205 Sailor's Holiday (AT-F&D)—Alan Hale... Sept. 14
 0207 Her Private Affairs (AT-F&DN)—Harding... Oct. 5
 0211 Oh, Yea: (AT-F)—Robt. Armstrong..... Oct. 19
 0109 Red Hot Rythm (AT-F)—Alan Hale..... Nov. 23
 0111 His First Command (AT-F)—Wm. Boyd... Dec. 28
 0127 This Thing Called Love (AT-F)—Bennett... Jan. 25

RKO Features

- 9236 Laughing at Death—Bob Steele June 2
 9227 Pride of Pawnee—Tom Tyler June 9
 9247 Pals of the Prairie—Buzz Barton..... July 7

1929-1930 Season

- 0101 Street Girl (ATF&D)—Betty Compson... Aug. 11
 0202 Side Street (ATF&D) Tom, Matt-O. Moore. Sept. 8
 0102 Rio Rita (ATF&D)—B. Daniels-J. Boles... Sept. 15
 0303 The Very Idea (AT-F&D)—Kearns (reset) Sept. 15
 0203 Delightful Rogue (AT-F&D)..... Sept. 22
 0201 Hali Marriage (AT-F&D)—Borden-Farley. Oct. 13
 0509 Jazz Heaven (AT-F&D)—Sally O'Neill... Oct. 20
 0204 Night Parade (AT-F&D)—Hugh Trevor... Oct. 27
 0305 Tanned Legs (AT-F&D)—Gulliver (reset). Oct. 27

**Tiffany-Stahl Features
(revised)**

- Molly and Me (PT-F&D)—Bennett-Brown-V'ghn. Apr. 4
 The Physician—Elga Brink May 10
 My Lady's Past (PT-F&D)—Bennett-Brown... June 1
 Two Men and a Maid (PT-F&D)—Collier-Grib'n. June 10
 New Orleans (PT-F&D)—Cortez-Collier-Bennett. July 1
 Midstream (PT-F&D)—July 29—Cortez-Wind'r. July 29
 The Wrecker (S)—Carlyle Blackwell Aug. 17
 Whispering Winds (PT-F&D)—Southern-McGre. Sept. 5

1929-1930 Season

- Mister Antonio (AT-F&D)—Carillo-Valli..... Oct. 21
 Woman to Woman (AT-F&D)—Betty Compson... Oct. 28

United Artists Features

- Eternal Love (S)—J. Barrymore May 11
 Three Passions (S)—A. Terry-I. Petrovitch... June 1
 This Is Heaven (PT)—Vilma Banky June 22
 She Goes to War (PT)—Eleanor Boardman... July 13
 Bulldog Drummond (ATF&D)—Colman (reset). Aug. 3
 Evangeline (SD)—D. Del Rio..... Aug. 24
 Three Live Ghosts (AT-F)..... Sept. 15
 The Trespasser (AT-F)—Gloria Swanson..... Oct. 5
 Venus (S)—C. Talmadge..... Oct. 12
 Taming of the Shrew (AT-F)—Fairbanks-Pickford
 Oct. 26
 The Locked Door (AT-F)..... Nov. 16
 Condemned (AT-F)—R. Colman..... Dec. 7
 New York Nights (Tin Pan Alley) (AT-F)—Talmadge
 Dec. 28
 LummoX (AT-F) (reset)—W. Westover..... not set
 Play Boy (AT-F)—Harry Richman..... not set

Universal Features

- A5768 The Charlatan (PTF)—M. Livingston... Apr. 7
 A379 Plunging Hoofs—Rex-Perrin Apr. 14
 A5763 Scandal (Htd. Lady) (PTF)—LaPlante... Apr. 21
 A373 Eyes of the Underworld—Cody Apr. 28
 A380 The Border Wildcat—Wells May 19
 A5757 His Lucky Day (PT)—R. Denny..... June 2
 A375 The Tip Off—Bill Cody..... June 2
 A5767 Winged Horsemen (Blow) Gibson..... June 16
 A376 Hoof Beats of Vengeance..... June 16
 A5770 Come Across (PT)—L. Basquette..... June 30
 A377 The Smilin' Terror—Ted Wells..... June 30
 A5777 College Love (ATF&D)—Lewis-Gulliver. July 7
 A362 The Body Punch—Jack Daugherty... July 14
 A5769 Modern Love (You C't buy L) (PT-F&D) July 14
 A5760 Melody Lane (Play Goes On) (AT-F&D). July 21
 A5776 Show Boat (ATF&D)—All Star..... July 28
 A5746 Girl Overboard (PTF&D)—M. Philbin... July 28
 A5753 Love Trap (That Blonde) (PT-F&D)... Aug. 4
 A372 Harvest of Hate—Rex-Perrin Aug. 4
 A374 Riding Demon—Ted Wells Aug. 18
 A5749 Points West—Hoot Gibson Aug. 25

1929-1930 Season

- A5778 Drake Case (PTF&D)—G. Brockwell... Sept. 1
 A5779 Wagon Master (PTF&D)—Ken Maynard. Sept. 8
 A5787 Broadway (AT-F&D)—All Star..... Sept. 15
 A5781 Barnum Was Right (PTF&D)—Tryon... Sept. 22
 A5782 Tonight at Twelve (ATF&D)—Bellamy. Sept. 29
 A5795 One Hysterical Night (PT-F&D)—Denny. Oct. 6
 A5821 Last Performance (PT-F&D)—Veidt... Oct. 13
 A5783 Long Long Trail (PT-F&D)—Gibson..... Oct. 20
 A5785 Mississippi Gambler (AT-F&D)—Shilkraut
 Oct. 27
 A5813 Senor Americano (PT-F&D)—Maynard... Nov. 3
 A5788 Shanghai Lady (AT-F&D)—Nolan..... Nov. 10
 A5796 Shannons of Broadway (AT-F&D)—Star. Nov. 17
 A5790 The Devil's Pit (S-F&D)—Star..... Nov. 24

Warner Bros. Features

229 From Headquarters (PTD)—Monte Blue.....	June 6
The Glad Rag Doll (Al. An.) (PTD)—Cos.....	June 8
Time, Place, Girl (ATD)—all star.....	June 8
Noah's Ark (PTD)—O'Brien-Costello	June 15
Madonna of Avenue A (PTD)—D. Costello.....	June 22
Gamblers (PTD)—Wilson-Warner	June 29
On With the Show (ATD)—all star.....	July 13

1929-1930 Season

270 Honky Tonk (AT-D)—Sophie Tucker.....	Aug. 3
276 The Hottentot (AT-D)—E. Horton.....	Aug. 10
274 The Argyle Case (AT-D)—T. Meighan.....	Aug. 17
252 Say It With Songs (AT-D)—A. Jolson.....	Aug. 24
267 In The Headlines (AT-D)—M. Nixon.....	Aug. 31
272 Skin Deep (AT-D)—Monte Blue.....	Sept. 7
257 Hearts in Exile (AT-D)—D. Costello.....	Sept. 14
258 Gold Diggers of B'way (AT-D)—pre-release	Sept. 15
natl. release Oct. 5	

World Wide Features

Midnight Daddies (ATF&D)	Aug. 3
Great Gabbo (AT-F&D)—B. Compson—Stroheim..	Sept.

**ONE AND TWO REEL SUBJECT
RELEASE SCHEDULES****Educational—One Reel**

On the Streets (SD)—Howe.....	July 21
Contented Wives—Alt-Cameo	July 28
Hot Sports—Collins-Cameo	Aug. 11
Studio Stunts (SD)—Howe.....	Sept. 1
Lyman Howe's Hodge Podge (SD).....	Oct. 6

Educational—Two Reels

Girl Crazy (T-F&D)—Clyde-Sennett.....	June 9
What a Day—Collins-Mermaid	June 16
Helter Skelter—Big Boy-Juvenile	June 16
Trusting Wives (T)—Cornet	June 23
Jazz Mammies (ATF&D)—Va. Lee Corbin-Sennett,	June 30
Studio Pests—Drew-Ideal	June 30
Lover's Delight (TD&F) Arthur-Garon-J. White.	June 31
Don't Be Nervous (AT)—Hamilton	July 7
Top Speed—Alt-Mermaid	July 7
Buying a Gun (T-F&D)—Lupino Lane.....	July 14
Joy Land—Lupino Lane	July 21
The Barber's Daughter (T-F&D)—Sennett.....	July 21
Honeymooniacs—Collins-Mermaid	July 28
Sole Support—Big Boy-Juvenile	Aug. 4
The Contable (TF&D) Clyde-Gribbon-Sennett.	Aug. 11
His Baby Daze (TF&D)—L. Hamilton	Aug. 18
Look Out Below (TF&D)—Ray, McKee-J. White.	Aug. 18
Fake Flappers—Drew-Ideal	Aug. 18
Ticklish Business (TF&D)—Collins-Mermaid....	Aug. 25
The Lunkhead (TF&D) Clyde-Gribbon-M. Sennett.	Sept. 1
Social Sinners, TF&D)—McKee-Tuxedo	Sept. 1
Fire Proof (TF&D)—Lupino Lane	Sept. 8
Prince Gabby (TF&D)—E. Horton-Coronet....	Sept. 15
The Golfers (T-F&D)—Mack Sennett.....	Sept. 22
Peaceful Valley (T-F&D)—Lloyd Hamilton....	Sept. 29
Mack Sennett Talking (T-F&D).....	Oct. 13
Hunting the Hunter (T-F&D)—Jack White.....	Oct. 20
The Talkies (T-F&D)—Collins-Dent-Mermaid...	Oct. 27

Fox—One Reel

Call of the Deep	July 7
Bypaths in the Balkans	July 21
Airways of the Arctic	Aug. 4

Metro-Goldwyn-Mayer—One Reel**1929-1930 Season**

Brown Gold—Oddity	July 6
Oriental Motoring—Oddity	July 20
Dealers in Babies—Oddity	Aug. 3
Geo. Lyons Act (AT-D).....	Aug. 3
Georgie Price Act (AT-D).....	Aug. 17
Phil Spitalny Act (AT-D).....	Aug. 24
Van & Schenck Act (AT-D).....	Aug. 31
Geo. Dewey Washington Act (AT-D).....	Sept. 7
Titta Ruffo Act (AT-D).....	Sept. 14
Metro Movietone Revue Act (AT-D).....	Sept. 21
Madame Maria Kurenko Act (AT-D).....	Sept. 28
Keller Sisters & Lynch Act (AT-D).....	Oct. 5
Yvette Ruzel Act (AT-D).....	Oct. 12
Biltmore Trio Act (AT-D).....	Oct. 19
Clyde Doerr Act (AT-D).....	Oct. 26
Tom Waring Act (AT-D).....	Nov. 2

Tiffa Ruffo Act (AT-D).....	Nov. 9
Earl and Bell Act (AT-D).....	Nov. 16
Duci De Kerekjarto Act (AT-D).....	Nov. 23
Aaronson's Commanders Act (AT-D).....	Nov. 30

Metro-Goldwyn-Mayer—Two Reels**1929-1930 Season**

Frontier Romance—Events	July 6
Dad's Day (AT)—All Star	July 6
Boxing Gloves (AT)—Our Gang	July 13
Snappy Snezzler (AT)—Chase	July 20
Climbing Golden Stairs—Revue (AT-D).....	Aug. 3
Cecil Lean-Cleo Mayfield Act (AT-D).....	Aug. 10
Periect Day—Laurel-Hardy (AT-D).....	Aug. 10
Hotter Than Hot—Langdon (AT-D).....	Aug. 17
Lazy Days—Gang (AT-D).....	Aug. 24
Mexicana—Revue (AT-D).....	Aug. 31
Crazy Feet—Chase (AT-D).....	Sept. 7
Cat, Dog & Co.—Gang (S-D).....	Sept. 14
They Go Boom—Laurel-Hardy (AT-D).....	Sept. 21
The Doll Shop—Revue (AT-D).....	Sept. 28
Sky Boy—Langdon (AT-D).....	Oct. 5
Bouncing Babies—Gang (AT-D).....	Oct. 12
Bacon Grabbers—Laurel-Hardy (S-D).....	Oct. 19
The General—Revue (AT-D).....	Oct. 26
Stepping Out—Chase (AT-D).....	Nov. 2
Saturday's Lesson—Gang (S-D).....	Nov. 9
Hoosegow—Laurel-Hardy (AT-D).....	Nov. 16
The Shooting Gallery—Revue (AT-D).....	Nov. 23

Paramount—One Reel

Koko's Hypnotism—Inkwell Imps.....	July 13
Sleepy Holler—Krazy Kat	July 20
Chemical Koko—Inkwell Imps	July 27

1929-1930 Season

Chinatown, My Chinatown (ATF&D)—Sc. Song.	Aug. 3
Radio Rhythm (ATF&D)—Rudy Vallee-Act	Aug. 10
Dixie (ATF&D)—Sc. Song	Aug. 17
Raising the Roof (ATF&D)—L. Roth-Act.....	Aug. 24
Goodbye, My Lady Love (ATF&D)—S. Song..	Aug. 31
Cow Camo Ballads (AT-F&D)—Act.....	Sept. 7
My Pony (ATF&D)—Sc. Song	Sept. 14
What Do I Care? (AT-F&D)—Act.....	Sept. 21
Smiles (ATF&D)—Sc. Song	Sept. 28
Travellin' Alone (AT-F&D)—Act.....	Oct. 5
Oh You Beautiful Doll (AT-F&D)—Sc-Song...	Oct. 12
The Piano Tuners (AT-F&D)—Act.....	Oct. 26

Paramount—Two Reels**1929-1930 Season**

No two reel releases during August	
The Sleeping Porch (ATD&F)—Christie	Sept. 7
Ladies' Choice (ATD&F)—Christie	Sept. 14
The Spy (AT-F&D)—Tom Howard Comedy....	Sept. 21
The Lady Fare (AT-F&D)—Christie-Col.....	Sept. 28
Faro Nell or In Old Cal. (AT-F&D)—Christie...	Oct. 5
Adam's Eve (AT-F&D)—Christie.....	Oct. 12
He Did His Best (AT-F&D)—Holmes-Christie...	Oct. 16
The Wife's Birthday (AT-F&D)—S. Ward Comedy	Oct. 26

Pathe—Two Reels**1929-1930 Season**

Beach Babies (AT-F&D)—Variety.....	Aug. 4
Garden of Eatin' (AT-F&D)—Golden Rooster...	Aug. 11
The Plumbers are Coming (AT-F&D)—LeMaire.	Aug. 18
Turkey for Two (AT-F&D)—Checker.....	Aug. 25
Haunted (AT-F&D)—Variety.....	Sept. 1
Syncopated Trial (AT-F&D)—Melody.....	Sept. 8
Black Narcissus (AT-F&D)—Buck & Bubbles...	Sept. 15
Fancy That (AT-F&D)—Folly.....	Sept. 22
End of the World (AT-F&D)—Variety.....	Sept. 29
Big Time Charley (AT-F&D)—Manhattan.....	Oct. 6
Fairways and Foul (AT-F&D)—Golden Rooster.	Oct. 13
Gentlemen of Evening (AT-F&D)—LeMaire....	Oct. 20
The Smooth Guy (AT-F&D)—Checker.....	Oct. 27
In and Out (AT-F&D)—Buck & Bubbles.....	Nov. 3
After the Show (AT-F&D)—Melody.....	Nov. 10
So This is Marriage (AT-F&D)—Folly.....	Nov. 17
His Operation (AT-F&D)—Variety.....	Nov. 24

RKO—One Reel**1929-1930 Season**

0901 Headwork (ATF&D)—RCA Novelties....	Sept. 15
0902 Godfrey, Ludlow & NBC Orchestra (ATF&D),	Nov. 10

RKO—Two Reels**1929-1930 Season**

0601 The Captain of His Roll (ATF&D)—Record Breakers	Sept. 8
0802 St. Louis Blues (ATF&D)—RCA Short	Sept. 8
0702 Mickey's Surprise (ATF&D)—McGuire	Sept. 15
0602 As You Mike It (ATF&D)—Record Breakers,	Sept. 22
0603 Meet the Quince (AT-F&D)—Record Breakers	Oct. 6
0703 Mickey's Mix 'Up (AT-F&D)—McGuire	Oct. 13
0909 The Uncle (AT-F&D)—RCA Marc Connelly	Oct. 13
0803 Two Gun Ginsburg (AT-F&D)—RCA Short	Oct. 13
0604 Love's Labor Found (AT-F&D)—Record Breakers	Oct. 20
0605 They Shall Not Pass Out (AT-F&D)—Record Breakers	Nov. 3
0804 Hunt the Tiger (AT-F&D)—RCA Short	Nov. 10
0704 Big Moment (AT-F&D)—Mickey McGuire	Nov. 10
0606 Eventually But Not Now (AT-F&D)—Record Breakers	Nov. 17

Universal—One Reel**1929-1930 Season**

Race Riot (SF&D)—Oswald	Sept. 2
Own a Home—N. Edwards-B. Roach	Sept. 9
Oils Well (SF&D)—Oswald	Sept. 16
Going South—Edwards-Roach	Sept. 23
Permanent Wave (SF&D)—Oswald	Sept. 30
Hits of Today (ATF&D)—Morgan-Bledsoe	Sept. 30

Universal—Two Reels

The Cut-Ups—George	Aug. 14
Stop Barking—Buster Brown	Aug. 21
Good Skates—Mike and Ike	Aug. 28
Sweethearts (TF&D)—Three Rooneys	Sept. 2
Splash Mates (TF&D)—Collegians	Sept. 2

1929-1930 Season

Burning Youth—Sid Saylor	Sept. 4
The Boy and the Bad Man—B. Nelson	Sept. 7
Baby Talks (TF&D)—Sunny Jim	Sept. 11
The Lone Round Up—Jack Daugherty	Sept. 14
The Love Tree (TF&D)—Three Rooneys	Sept. 16
Graduation Daze (TF&D)—Collegians	Sept. 16
The Royal Pair (AT-F&D)—Rooneys	Sept. 20
The Red Rider—Ted Carson	Sept. 21
Night Owls—Arthur Lake	Sept. 25
Boss of Bar Twenty—W. E. Lawrence	Sept. 28
Watch Your Friends (AT-F&D)—All Star	Oct. 9
Love Birds (AT-F&D)—Rooneys	Oct. 14

Too Many Women—Sid Saylor	Oct. 23
Marking Time (AT-F&D)—Rooneys	Oct. 28
No Boy Wanted—Sunny Jim	Nov. 6
The Three Diamonds (AT-F&D)—Rooneys	Nov. 11

DIFFERENT TITLES FOR THE BRITISH MARKET

Often the American producers change the titles of some of their pictures that are sent to Great Britain or to other parts of the British Empire. In such an event, the subscribers of HARRISON'S REPORTS in those parts of the world find it difficult, as I have been informed, to locate the review of a picture.

To help these exhibitors, HARRISON'S REPORTS will, from now on, give also the British titles.

The following are title changes:

Columbia

"The Decoy"; original title, "Stool Pigeon"

First National

"The Beautiful Fraud"; original title, "American Beauty"
 "Her Primitive Mate"; original title, "No Place To Go"
 "Red Hot Reilly"; original title, "Life of Reilly"
 "Parasites"; original title, "Drag"
 "Actress and Angel"; original title, "Butter & Egg Man"
 "Bad Baby"; original title, "Naughty Baby"
 "Love Never Dies"; original title, "Lilac Time"
 "9 Days' Wonder"; original title, "Big Noise"

Fox

"King of the Kyber Rifles"; original title, "Black Watch"

Metro-Goldwyn-Mayer

"Political Flapper"; original title, "The Patsy"
 "Rock of Friendship"; original title, "Wyoming"
 "Varsity Girl"; original title, "Fair Co-ed"

Pathe

"Wanted"; original title, "High Voltage"
 "Hell's Kitchen"; original title, "Tenth Avenue"
 "Branded a Coward"; original title, "Annapolis"

RKO

"Three Brothers"; original title, "Side Street"

Tiffany-Stahl

"Tomorrow"; original title, "Marriage by Contract"

United Artists

"Lady of the Night"; original title, "Lady of the Pavement"
 "The Perfect Alibi"; original title, "Alibi"

Universal

"Port of Dreams"; original title, "Girl Overboard"
 "High Society"; original title, "Scandal"
 "The Gambler"; original title, "The Michigan Kid"

NEW YORK RELEASE DATES OF ALL THE NEWSWEEKLIES

Universal News (Silent)		Fox News (Silent)		Pathe News (Silent)		Pathe News (Sound)	
79 Odd	Wed., Oct. 2	3 Odd	Wed., Oct. 2	82 Even	Wed., Oct. 2	68 Wednesday	Oct. 2
80 Even	Sat., Oct. 5	4 Even	Sat., Oct. 5	83 Odd	Sat., Oct. 5	69 Saturday	Oct. 5
81 Odd	Wed., Oct. 9	5 Odd	Wed., Oct. 9	84 Even	Wed., Oct. 9	70 Wednesday	Oct. 9
82 Even	Sat., Oct. 12	6 Even	Sat., Oct. 12	85 Odd	Sat., Oct. 12	71 Saturday	Oct. 12
83 Odd	Wed., Oct. 16	7 Odd	Wed., Oct. 16	86 Even	Wed., Oct. 16	72 Wednesday	Oct. 16
84 Even	Sat., Oct. 19	8 Even	Sat., Oct. 19	87 Odd	Sat., Oct. 19	73 Saturday	Oct. 19
85 Odd	Wed., Oct. 23	9 Odd	Wed., Oct. 23	88 Even	Wed., Oct. 23	74 Wednesday	Oct. 23
86 Even	Sat., Oct. 26	10 Even	Sat., Oct. 26	89 Odd	Sat., Oct. 26	75 Saturday	Oct. 26
87 Odd	Wed., Oct. 30	11 Odd	Wed., Oct. 30	90 Even	Wed., Oct. 30	76 Wednesday	Oct. 30
88 Even	Sat., Nov. 2	12 Even	Sat., Nov. 2	91 Odd	Sat., Nov. 2	77 Saturday	Nov. 2
89 Odd	Wed., Nov. 6	13 Odd	Wed., Nov. 6	92 Even	Wed., Nov. 6	78 Wednesday	Nov. 6
90 Even	Sat., Nov. 9	14 Even	Sat., Nov. 9	93 Odd	Sat., Nov. 9	79 Saturday	Nov. 9
91 Odd	Wed., Nov. 13	15 Odd	Wed., Nov. 13	94 Even	Wed., Nov. 13	80 Wednesday	Nov. 13
92 Even	Sat., Nov. 16	16 Even	Sat., Nov. 16	95 Odd	Sat., Nov. 16	81 Saturday	Nov. 16

Paramount News (Silent)		M-G-M-Internat'l (Silent)		Kinogram (Silent)		Paramount News (Sound)	
18 Even	Wed., Oct. 2	19 Odd	Wed., Oct. 2	5540 Even	Wed., Oct. 2	15 Saturday	Nov. 9
19 Odd	Sat., Oct. 5	20 Even	Sat., Oct. 5	5541 Odd	Sat., Oct. 5	16 Saturday	Nov. 16
20 Even	Wed., Oct. 9	21 Odd	Wed., Oct. 9	5542 Even	Wed., Oct. 9	17 Saturday	Nov. 23
21 Odd	Sat., Oct. 12	22 Even	Sat., Oct. 12	5543 Odd	Sat., Oct. 12	18 Saturday	Nov. 30
22 Even	Wed., Oct. 16	23 Odd	Wed., Oct. 16	5544 Even	Wed., Oct. 16	19 Saturday	Dec. 7
23 Odd	Sat., Oct. 19	24 Even	Sat., Oct. 19	5545 Odd	Sat., Oct. 19	20 Saturday	Dec. 14
24 Even	Wed., Oct. 23	25 Odd	Wed., Oct. 23	5546 Even	Wed., Oct. 23	21 Saturday	Dec. 28
25 Odd	Sat., Oct. 26	26 Even	Sat., Oct. 26	5547 Odd	Sat., Oct. 26	22 Saturday	Jan. 4
26 Even	Wed., Oct. 30	27 Odd	Wed., Oct. 30	5548 Even	Wed., Oct. 30	23 Saturday	Jan. 11
27 Odd	Sat., Nov. 2	28 Even	Sat., Nov. 2	5549 Odd	Sat., Nov. 2	24 Saturday	Jan. 18
28 Even	Wed., Nov. 6	29 Odd	Wed., Nov. 6	5550 Even	Wed., Nov. 6	25 Saturday	Jan. 25
29 Odd	Sat., Nov. 9	30 Even	Sat., Nov. 9	5551 Odd	Sat., Nov. 9	26 Saturday	Feb. 1
30 Even	Wed., Nov. 13	31 Odd	Wed., Nov. 13	5552 Even	Wed., Nov. 13	27 Saturday	Feb. 8
31 Odd	Sat., Nov. 16	32 Even	Sat., Nov. 16	5553 Odd	Sat., Nov. 16	28 Saturday	Feb. 15

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SATURDAY, OCTOBER 12, 1929

No. 41

THE OTHER HALF OF THE TRUTH

"Work Sheet prepared by a distributor," states the *Film Daily* of September 5, "is not part of the contract, being merely the best tentative promise the distributor can make. Lewis Nizer, secretary of the Film Board, acting as counsel for Fox, contended successfully in arbitration action brought by the company against the Century (A. H. Swartz) Circuit, New York. The distributor had sued for fulfillment of contract on 'Girls Gone Wild,' 'Not Quite Decent,' and 'Blue Skies,' with Swartz contending the films were substitutions.

"Under the contract, the work sheet is not to be accepted as part of the agreement, the schedule in the contract covering this point, Nizer argued in holding that the pictures as delivered were in accordance with the schedule. One star, he pointed out, was replaced in one of the pictures, because she had grown too fat."

Though this appears to be a news item, supposedly the opinion of the *Film Daily* reporter, formed by him after an interview with Mr. Louis Nizer, who is secretary of the Film Board of Trade of this zone, it is really a press notice, evidently sent out by Mr. Nizer's office. The fact that other papers have printed substantially the same statement should be the proof of it.

In order to initiate you in the mysteries of newspaperdom, let me say that often items that appear as news are nothing but press agent stories. When a company, or an individual, want to bring something to the attention of the public or of a particular class of readers, they compose something and send it to the paper.

A conscientious editor, however, will investigate the veracity of the assertions made in that statement before printing it. Only if he is partial to the company or to the individual will he print it without first making sure that the statement represents the facts.

It is manifest that the editor of the *Film Daily* and the other trade papers that printed it made no investigation whatever to assure themselves that the statement issued by Mr. Nizer's office represented the facts correctly. And not only did they fail to make an investigation, but when the attention of one of them (Arthur James) was called by Mr. Swartz's office to the inaccuracy of the facts as printed, he failed to make any correction. It is manifest that *Film Daily* did not want to be fair, (we are discounting Arthur James, as unworthy of attention), which seems to be in keeping with the policy of that paper of coloring, and of even distorting, matters that concern the exhibitors. Such seems to be the opinion also of the leaders of M.P.T.O. of Indiana, who, in their October bulletin to the members of their organization, state the following: "Some of you wrote in as to our attitude regarding Arbitration when the Indianapolis *News* and the *Film Daily* carried misleading stories that we had resumed arbitration. As we told you before, don't believe what you read about our attitude unless such statements are in the bulletins." And such seems to be the opinion of other leaders, formed when *Film Daily* tried to misrepresent or to belittle the efforts of the Allied leaders immediately after the Washington convention.

What is the truth?

The Century Circuit, founded by Mr. A. H. Swartz, one of the most business-like exhibitors of this territory, and even of the United States, was summoned by Fox before the arbitration board for failure to lift four pictures, on the ground that they were substitutions. These were, "Girls Gone Wild," "Not Quite Decent," "Blue Skies," and "Trent's Last Case." The arbitration board found that the first three were not substitutions, and compelled Mr. Swartz to accept them, but that "Trent's Last Case" was a substitution, and relieved him of it.

Here is the decision of the board verbatim:

"Board finds that there is no substitution from that represented in the schedule submitted by plaintiff on pictures, namely, *GIRLS GONE WILD*, *NOT QUITE DECENT* AND *BLUE SKIES* and finds in favor of the exchange on these pictures but have ruled that *TRENT'S LAST CASE* is a substituted picture as submitted in the schedule and therefore dismisses the claim as relates to this picture only." But Mr. Nizer failed in his "interview," as reported by *Film Daily*, to mention that the arbitration board ruled that "Trent's Last Case" was a substitution, and *Film Daily* failed to make the necessary investigation, undertaken in such matters by editors that want to be fair, so as to give all the facts, and not merely part of them.

The failure of *Film Daily* to give the facts correctly would not have been so offensive if it were not for the fact that the Fox branch managers are using the incomplete story either to discourage exhibitors from taking Fox before the arbitration board or to beat the cases before the boards. I read a letter from the Kansas City manager to an exhibitor of that zone stating the following: "Regarding the reference to Work Sheet information this does not have any bearing on the contract having just recently been decided in the claim of Fox against A. H. Swartz circuit of New York."

Notice how the news item is worded: "Work Sheet prepared by a distributor is not part of the contract . . . Lewis Nizer . . . contended successfully before the arbitration board," and, "Under the contract, the Work Sheet is not to be accepted as part of the agreement, . . . Nizer argued . . ." Mr. Nizer may assert that he did not say that the board accepted his views, but that he merely argued before it to that effect; but I may say this,—I am making my living by writing and yet I had to read the decision of the board before discovering the joker. What chance has the average exhibitor? "Successfully contended" means that the board accepted Mr. Nizer's views. This is contrary to the facts, for if it had accepted them it would not have declared "Trent's Last Case" a substitution, relieving Mr. Swartz of it. Its having declared it a substitution is the most conclusive proof that it did not rule the Work Sheet out, but that it still believes it to be part of the contract for certain substitutions.

But even if the New York arbitration board had ruled the Fox Work Sheet out, declaring that it is not part of the contract, such a ruling would not have established a precedent for any of the other zones. Arbitration boards are autonomous bodies, rendering decisions independently of the decisions of other boards. A decision rendered by the board of Milwaukee, for example, or of Seattle, or of Los Angeles, would not be binding on the Kansas board, or the Dallas board. If it were otherwise, why should the other arbitration boards accept the ruling of the New York board in a Fox substitution case to the effect that the Work Sheet is not part of the contract when we have decisions of other boards, declaring that it is? Take, for instance, the case of Mrs. Mary Vuono, of the Strand and the Palace theatres, in Stamford, Connecticut. Mrs. Vuono was summoned by Fox before the New Haven board for failing to lift "True Haven." She contended that it was a substitution of director and star, in that the Work Sheet promised William K. Howard as the director, and Edmund Lowe, Lois Wilson and Margaret Mann, as the stars, whereas the finished product; which was delivered as "False Colors," had been directed by James Tinling, and had George O'Brien and Lois Moran in the leading parts. Fox contended that the picture was being

(Continued on last page)

"Fast Company" (100% T-F&DN)*(Par., Sept. 12; syn. 6,863 ft.)*

A very good entertainment. It is not the story but the acting of Jack Oakie that makes it so. There is plentiful comedy, some human interest and suspense. The comedy is caused by the chestiness of an otherwise good-natured hero, baseball player, Mr. Oakie looks the part one hundred per cent. He is far better in such a role than was William Haines. He keeps people laughing all the way through. The voices are clear and intelligible at all times:—

The Yankee scout discovers the hero, a bush leaguer, and attempts to sign him up. But he finds that he had promised to sign up with another team. By aid of the heroine, a cynical chorus girl, he is able to get him; he signed only after the heroine promised to write him often, and to let him call on her when he reaches New York. On the eve of a game, he learns that she is in Chicago and decides to go to her to find out why she had not been writing to him. To prevent him from leaving the game, the scout writes letters to him and signs her name, making it appear as if they were written by the heroine. When she reaches New York the hero calls on her. One of the guests plays a joke on the hero by making him believe that he was talking to a microphone when he was talking to a whisky flask, looking like a microphone. The hero resents it. He then learns that the letters were written, not by the heroine, but by the scout. He goes away heart-broken, thinking that the letters were part of a joke of the heroine's. Some crooks want to have the hero thrown out of the game. They present him with money, telling him that it is a present from his home town's Chamber of Commerce. They then inform the manager that the hero had been bribed. His lack of spirit in his playing, caused by the episode of the night before, is attributed by the manager to the bribe. He is about to disqualify the hero when the scout induces the heroine to intercede. The heroine sends for the hero and tells him that she does not believe the stories circulated about him regarding his character, and that she loves him. The hero, animated by the thought that the heroine loves him, takes the bat and wins the game.

The plot has been founded on the stage play by Ring Lardner and George Cohan. A. Edward Sutherland directed it with great skill. Evelyn Brent is the heroine, Richard (Skeets) Gallagher, the scout, and Sam Hardy the manager of the team. The sound has been recorded well.

The silent values are good, but Paramount will not make a silent version. (Time by watch, 74 minutes.)

"Evidence" (100% T-D) Pauline Frederick*(Warner Bros., Pre-rel. Oct. 5; syn. 7,152 ft.)*

This is another mother-love story, almost as good as the "Madame X" version which Goldwyn produced several years ago. The mother-love interest is caused by the fact that the heroine's husband is granted a divorce on the grounds of infidelity on the part of his wife, and the heroine is separated from her child, custody of it having been granted to the husband. The human interest is deeper in this picture than in other pictures of this style because of the fact that the heroine is innocent of any wrong. Reconciliation takes place towards the end, the husband having realized that he had wronged his wife. The heroine retains the spectator's sympathy all the way through. The scenes where she meets her child in the park, a boy of about five, are deeply touching. The scenes later in the story where the child receives the "princess" in his home, without the knowledge of the father, are still more touching. Lowell Sherman is the villain; it is his infatuation for the heroine that induces him to play a trick on the heroine, compromising her. Conway Tearle takes the part of the gallant gentleman; he loved the heroine and never ceased believing in her innocence. He awakens considerable sympathy by his bringing together mother and child, and by his offers to marry the heroine and to offer her protection. Alec B. Francis takes the part of the butler, who never ceased being devoted to the heroine. William Courtney, Madeleine Seymour, Lionel Belmore and others are in the supporting cast. Freddie Burke Frederick takes the part of the child; he is a charming little fellow.

The plot has been founded on the stage play, "Divorce Evidence," by J. Du Rocher. It was directed by John G. Adolphi. The only bad part about it is the reproduction of the sound. It is manifest that the sound was duped by some

inexpert; it lacks crispness, even though the words are fairly intelligible. When the records become old, the words may not remain intelligible.

The silent values seem to be good. (Time, 78 min. Shown at the Strand as a regular picture. Silent not yet fitted.)

"Why Bring That Up?" (100% T-F&DN)*(Param., Oct. 19; syn. 7,782 ft.)*

The plot is very thin and the jokes lack originality, but the way the picture and the two actors, George Moran and Charles Mack, famous in vaudeville as black-face comedians, have been handled by director George Abbott, "Why Bring That Up?" has been turned into a side-splitting comedy. It is, in fact, Mr. Mack's drawl, such as is observed in colored persons, that imparts most of the comical values in his jokes.

The story deals with two small-town comedians who are stranded. Moran runs into Mack accidentally and Mack makes Moran a proposition to become partners. But they still make a failure until they engage a manager. Success leads to success until they reach Broadway and plan to build their own theatre. But a vampire nearly brings about a split and causes a near tragedy. She ensnares Moran and makes him draw heavily on the joint account. Mack tries to open the eyes of Moran as to the character of the woman, but like all love-struck persons he refuses to believe ill of the woman he loved. There is a fight between them, during which Mack is struck on the head with a pitcher by the woman's confederate. Mack is taken to the hospital and Moran, who is unaware of Mack's serious injury, goes to the woman and, his bank account being short, asks her to let him have some of the jewels he had bought her to pawn them and raise some money with. He finds out that what his partner had been saying about her was true when she refuses to part with any of the jewels. He leaves her flat and returns to the theatre with the intention of begging Mack's forgiveness. At the hospital Mack lay unconscious and Moran employs familiar expressions to bring him to. Mack forgives Moran, and their partnership is resumed.

The story is by Octavus Roy Cohen. Evelyn Brent is the woman, and Freeman Wood, the confederate. The sound reproduction is fairly good.

Paramount will not make a silent version. (Time, 83 minutes.)

"Disraeli" (100% T-D) George Arliss*(War. Bros., Pre-rel. Nov. 1; syn. 8,044 ft.; sil. not fixed.)*

Another good dramatic entertainment from Warner Bros. There is good suspense in many of the situations. The situation in which Disraeli is shown receiving a telegram from Cairo, informing him that his representative had succeeded in purchasing control of the Suez Canal, and shortly afterwards learning from his financial backer for the purchase of the Canal that the check will not be honored because he had been bankrupted by unseen forces working against him; also the one that follows, which shows Disraeli assuming a dramatic attitude and threatening the governor of the Bank of England that he would use the powers of a Premier of England to crush him unless he helped him make the check good, succeeding in his purpose, are extremely dramatic. The situation that shows him attending the affair in which Queen Victoria was to be declared Empress of India, and in which he and his wife were to be honored, while his wife lay in bed critically ill, arouse deep sympathy for him.

The plot has been founded on the play by Louis N. Parker. Considerable changes were made, among which is the character of Disraeli. He is presented as a more sympathetic figure, a patriot that risked his reputation to purchase the Suez Canal, despite the opposition of the Parliament, because he had the great vision to see that the Canal would some day be important in the life of the British Empire. Mr. Arliss rises to dramatic heights that he rose in the play itself. The love he shows to his wife wins him great sympathy. Mrs. Arliss takes the part of Mrs. Disraeli. She, too, is a sympathetic figure. Joan Bennett, Ivan Simpson, Anthony Russell, Doris Lloyd and others are in the supporting cast. The reproduction of the speaking is pretty good.

The picture should please the cultured picture-goers immensely, but it is hardly a good fare for the masses. (Silent values pretty good. Shown at the Strand as a regular attraction. Time, 90 minutes.)

"Rio Rita" (100% T-F&DN)*(Radio Pictures, September 15; 15 reels)*

This is almost an exact reproduction of the Ziegfeld musical comedy success of the same name. It is something of the style of "On With the Show," and "The Gold Diggers of Broadway," only that it has a better story. As far as recording is concerned, nothing has yet been produced that can equal it; it is so good that the reproduced sound is entirely free from ground noises. The hissing that is, as a rule, noticed in recordings by the variable density (Movietone) system is entirely absent from "Rio Rita." The picture has been produced without any thought about money expenditure, and it is a rare spectacle. The first half is black and white but the last half is in color. A few of the colored scenes are somewhat blurred, but on the whole it is clear, particularly in the close-ups. The various hues in the scenes on the boat where the heroine is shown wearing a white silk bride's dress are gorgeous. But everything is topped by the acting and the singing of both Bebe Daniels and John Boles. The ability of John Boles to sing was, of course, known well because of his work in "The Desert Song." But the ability of Miss Daniels was not known, because this is the first singing and talking picture that she has so far appeared in. To say that she is a great surprise is putting it mildly. She certainly can sing. And she can act. A great future seems to lie ahead of her. The scenes in the home of the would be Mexican General but really the bandit that had been dynamiting bank safes and getting away with it are a rare spectacle; they are out-rivaled only by the colored scenes aboard the bandit's barge. Bert Wheeler, as Chick Bean, and Robert Woolsey, as Lovett, the lawyer, offer comedy bits that kept the spectators laughing continuously. George Ranevart plays the part of Kinkajou, the bandit, well. Dorothy Lee is excellent as the second Mrs. Bean. In addition to the old songs, new songs have been introduced. This adds freshness to the picture.

The plot, which has been taken originally from the book by Guy Bolton and Fred Thompson, and which was directed by Luther Reed, deals with the attempt of the American and Mexican authorities to capture Kinkajou, a bandit, operating near the Texas-Mexico border. The Captain of the Texas Rangers masquerades as a civilian. He meets the heroine and becomes fascinated with her beauty. The bandit, posing as a General, scents that the heroine was attracted by the hero and presses his attentions harder. The heroine turns him down. The heroine's brother is suspected as being the bandit. The General searches the room of the hero and finds evidence that reveal his identity to him. He informs the heroine of it, telling her that he is after her brother. She turns on the hero as a result. To save her brother, whom the real bandit, the would-be General, had kept a prisoner, the heroine promises the General that she would marry him. He holds a feast on board his barge and makes ready for the marriage. The hero hears of her contemplated marriage and enters the barge secretly. The heroine begs him to leave so as to save his life. But escape is not possible. The heroine's brother becomes freed from his ropes and comes on deck. He sees his sister and tells her who had kept him a prisoner. The General discovers him, has him arrested and orders that he be shot. The hero by this time had cut the hawser that kept the ship fast on the Mexican side, and the ship drifts to the American side. Just as the bandit's men are to shoot the heroine's brother, the hero appears with a detachment of Texas Rangers and arrests them.

Radio Pictures will not make a silent version. (Time, 2 hours and five minutes.)

"Young Nowheres" (100% T-D) Richard Barthelmess*(First Nat., syn. 6,021 ft.; Oct. 20; sil. not set yet.)*

First National had no business to show this picture as a road show attraction. Although it is very good, it is not of road show caliber neither in entertainment nor in length; it lasted sixty-five minutes. In order to make it last long, they stuffed the show with short subjects with the result that one became tired long before the main feature was shown.

As said, "Young Nowheres" is a good picture, because there is a great deal of human interest in it, and Mr. Barthelmess does the best acting in his career. But the theme is not such as to make his young followers be proud of him. He is presented as a weakling; he is not given an opportunity to assert himself even once. He is an elevator boy earning hardly enough to keep body and soul together. He falls in love with a young girl (heroine), who was in

love with him from afar long before they had met. The heroine is taken to the hospital with pneumonia. But she recovers. Because they had no place to be alone to talk, the hero takes the heroine to a wealthy man's apartment, which he had been taking care of in his spare time. The owner turns up unexpectedly and when he finds them there he places the worst construction on their being alone. He has them arrested. During the trial the tale of the hero melts the judge and the wealthy man, who refuses to prosecute. Another wealthy man, living in another apartment in the same house, asks the judge to let them remain under his protection. Hero and heroine are happy to accept his protection.

Ida Wylie wrote the story; Frank Lloyd directed it. Marian Nixon makes a charming heroine. Bert Roach, Anders Randolph, Raymond Turner, and Jocelyn Lee are in the supporting cast. The reproduction is pretty good.

Silent value good. (Time, 65 minutes.)

"Overland Bound" (100% T-D)*(State Rights; syn. 4,940 ft.; sil. not yet determ.)*

This picture has been produced by Leo Maloney, who also acts as the hero. It is the second all-talk Western that has so far been produced, the first one being "In Old Arizona." The pictures that were produced by Mr. Maloney as silent could always be depended upon to offer at least pretty fair entertainment; they were clean and had human interest in them. The story of "Overland Bound" follows the same standard. It is, in fact, by a few notches better than any story that Mr. Maloney has so far put into pictures. There is considerable human interest in it and the action keeps the spectator interested at all times. In the closing scenes, there is an episode that should create a good impression. The hero knows that the villain will try to get away and ties the end of the rope, one end of which was fastened to the saddle of the villain's horse, to a tree. When the villain tries to get away, he gets as far as the end of the rope and then is jerked so hard that he takes a dangerous spill.

The story revolves around a hero that tries to save the heroine's property from a crook. The crook wanted to get it for nothing and then to sell it to the railroad for a big price. He employs a man to pose as the heroine's brother, who had left home when he was a mere child. The hero finds the real brother, whose help he asks to save the property. He marries the heroine.

Allene Ray plays opposite Mr. Maloney. Jack Perrin, Wally Wales, Charles K. French and others are in the cast. The lines are pretty clear although the voices of some of the characters are a bit sharp. Mr. Maloney's voice, however, has registered well.

Silent values pretty good. (Time, 56 minutes.)

"His Glorious Night" (100% T-F&D)*(MGM, Sept. 28; syn. 7,166 ft.; sil. not yet determined.)*

The most interesting part of this picture is the opening, where a horse race is shown. Several dangerous spills thrill the spectator. The remainder is not very interesting. The characters talk unceasingly, tiring one. The action is slow and not over-interesting, except to such cultured picture-goers as admire high comedy.

Mr. Gilbert, as the hero, is shown in a Teutonic country in Europe, falling in love with a young princess. Her mother calls off the affair, and the daughter obeys. The hero, who loves her desperately, in order to revenge on her, tells her that he is a peasant, and later arranges matters so that he might be arrested as a swindler and a crook. The princess is shocked and feels humiliated that she should ever allow a supposed crook and peasant to make love to her. But the heroine's father unwittingly gives away the fact that the hero is not a crook but a military hero. The heroine is then glad to admit to the hero that she is still in love with him, and that she is willing to marry him no matter whether he is a prince or a peasant.

The plot has been founded on the stage play "Olympia," by Ferenc Molnar. It was directed by Lionel Barrymore. John Gilbert, Catherine Dale Owen, Nance O'Neil, Gustave von Seyffertitz, Hedda Hopper, and others are in the cast. The reproduction of the sound is good and the lines are intelligible, but the actors talk in a theatrical tone of voice. Spectators laughed in two or three places at the Capitol, where it was first shown, because of this defect. There are some parts in it that are suggestive. The heroine implies to the hero that she wanted him to play with her and not to marry her.

Perhaps suitable only for high class custom. (Silent values no better than sound values. Time, 74 minutes.)

delivered as sold, and that the facts in the Work Sheet were not binding. Mr. Ed Levy, Secretary of M.P.T.O. of Connecticut, who defended the case for Mrs. Vuono, contended that the Work Sheet is part of the contract. The board accepted Mr. Levy's contention and ruled in favor of Mrs. Vuono. No other substitution cases have come before that board ever since for the reason that Fox would not let an exhibitor take his case before it; it was a foregone conclusion that the Fox defense would have met the same fate as it met in the Vuono case. On the contrary, immediately after that decision was rendered the Fox exchange offered an average decrease of thirty per cent. on the price of the entire contract if the exhibitors would accept the substitutions. And most of them availed themselves of that offer.

Another Fox substitution case that was ruled in favor of an exhibitor was that of Fox vs. Joseph J. Baron, of West Warren, Massachusetts, and on the same picture. Mr. Baron was summoned by the Fox exchange before the Boston board, but the board ruled in favor of Mr. Baron. What concessions the Fox exchange made to the exhibitors of the New England states after that decision I have not been able to learn. But they must have been substantial.

And don't forget that "True Heaven" was a hard picture to establish as a substitution. It would have been easier for the New Haven and the Boston boards to declare the Swartz pictures substitutions. So would any intelligent arbitration board, for even children know by this time that Fox broke the exhibitors last year by delivering them all the junk that he had in his vaults, which had accumulated there for years, in spite of the fact that the exchanges had exacted from the exhibitors the biggest prices known in the history of the industry, using sound as a bait.

If any Fox exchangeman should use the same argument with you as the Kansas exchangeman has used and should produce a newspaper item in an effort to prove to you that the Work Sheet is not part of the contract, accept the challenge and make him promise to abide by the decision rendered in the Swartz case, in New York, the Vuono case, in New Haven, and the Baron case, in Massachusetts. Request that your arbitration board obtain authenticated copies of these decisions. If you should do so, you should have no trouble in getting rid of the 1928-29 junk Fox still insists you accept. Bear in mind this, that according to a law of this state, the laws of which govern arbitration in the motion picture industry, specifications given in any literature prior to the sale are binding upon the seller; and no tricky clauses printed in prospectuses can relieve the company from the obligation of delivering the articles bought in accordance with such specifications. The Supreme Court of the United States for the Southern District of New York has so ruled in the case of "The Equitable Trust Company against The Green Star Steamship Company." If Mr. Nizer is unaware of this decision, he is at liberty to obtain a copy. The court chambers are not very far away from his office.

WHAT HAPPENS TO THE ARBITRATION CLAUSE WHEN THE ENTIRE CONTRACT IS ATTACKED?

The National Exhibitor, of Washington, D. C., prints the following:

"Colony Theatre, Portsmouth, refused, at the September 27th session, to submit the case brought against it by Fox to arbitration. The only way the exchange can now collect is by going into a court of law. Sam Boyd represented the exhibitor.

"Exchange asked for \$435 for refusal of the exhibitor to lift pictures. Colony charged that the contract covering the pictures in question is invalid, owing to changes made by the exchange (producer?) after it had been offered by the exhibitor, and that for this reason the arbitration clause on the back of the contract had no effect.

"Boyd stated that the defendant has, since that time, refused to recognize it as a contract, and that the Fox Company seemingly acquiesced in this view until recent difficulties over other matters arose between the parties, with the result that Fox now attempts to revive the issue."

HARRISON'S REPORTS has often stated in these columns that when an exhibitor attacks the entire contract he at-

tacks also the arbitration clause, and therefore he is not obligated to submit his case to arbitration. Only if the courts should decide that the contract is arbitrable would an exhibitor be obligated to submit to arbitration. Mr. Boyd, who happens to be a friend and subscriber of this paper, has taken the right attitude.

If more exhibitors had good counsel fewer of them would have been compelled to accept pictures they had not bought. They might even have succeeded in having the entire 1928-29 Fox contract canceled on the grounds of bad faith; enough substitutions of story, stars and directors were made to justify an exhibitor's demanding its cancellation.

THE WRONG CURE

The Hays organization is occupied these days trying to put arbitration back on the tracks. But the methods they are pursuing are the same sort of methods they have been pursuing in other matters. Instead of diagnosing what the cause of the ailment is and of trying to cure it by the appropriate medicine, they are using quack medicine. They are, for example, setting up outlaw arbitration boards. Granting the demands of the exhibitors for a decent contract would be a real cure. But they are not adopting it. If they would, there would naturally be no strife between exhibitors and producer-distributors. And this would be an unfortunate thing for them for they would have nothing then to do, with the result that it would be difficult for them to justify the fat salaries they are getting.

There is a suspicion among exhibitors that some person in the Hays organization is creating troubles and then settling them for the purpose of showing his employers how hard he is working, and how much he has accomplished.

HARRISON'S REPORTS has it on good authority that Charlie Pettijohn is grooming himself for Hays' job. It seems as if he feels that the days of Mr. Hays are numbered and wants to grab it for himself. All his energies seem to be directed towards that end.

When will Mr. Hays get wise to himself and realize that keeping the exhibitors discontented is not the best means of retaining his position and his standing in the industry?

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACT OF CONGRESS OF AUGUST 24, 1912, OF HARRISON'S REPORTS, published Weekly at New York, N. Y., for October 1, 1929.

County of New York,
State of New York.

Before me, a Notary Public, in and for the State and County aforesaid, personally appeared P. S. Harrison, who, having been duly sworn according to law, deposes and says that he is the Editor and Publisher of the HARRISON'S REPORTS and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, embodied in section 443, Postal Laws and Regulations, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business manager, are:
Name of Publisher, P. S. Harrison, 1440 Broadway, New York, N. Y.

Name of Editor, P. S. Harrison, 1440 Broadway, New York, N. Y.
Managing Editor, None.
Business Manager, None.

2. That the owners are: P. S. Harrison, 1440 Broadway, New York, N. Y.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent. or more of total amount of bonds, mortgages, or other securities are: None.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustees or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of bona fide owners; and this affiant has no reason to believe that any other person, association, or corporation, has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

(Signed) P. S. HARRISON,
(Owner).

Sworn to and subscribed before me the 28th day of September, 1929.

HERMAN H. WILKENLOH, JR.
(My commission expires March 30, 1931.)

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No. 42

THE SPECTRE OF THE WIDE FILM

"I am building a new theatre," Wm. T. Gustine, of Sangar, California, writes, "and am taking the liberty of writing to you for some information, knowing you are in the heart of the business and would know.

"Due to the Third Dimension in pictures coming on us, how big should my stage opening be in my building, which is now fifty feet in width?

"What size should my projection room be to take care of the change in equipment?

"How soon do you expect such changes to affect small town exhibitors and how long will we small town exhibitors be able to operate with the Third Dimension pictures?

"I know this is real nervy of me to impose on you like this, but feel you are the one man who could tell me what I want to know, and I assure you that I shall appreciate your advice."

* * *

The questions asked by Mr. Gustine are questions that are, no doubt, being asked by every exhibitor, big or little, in every part of the United States. The wide film problem has swooped down upon the industry before it had a chance to adjust itself to the conditions created by sound, and every one feels nervous of the changes that are about to be made as a result of this latest invention. The prospect of scrapping the present equipment and of discarding the methods of producing as well as of distributing pictures should be enough to make the most courageous person nervous. The smaller exhibitors, in particular, want to know if they will be able to survive this threatening radical change, most of them having just been able to "squeeze" through the changes brought about by sound.

Whatever answers may be given to the questions Mr. Gustine has asked naturally will have to be guess work, for there is nothing to guide us.

Before going into the subject, however, let me say that the questions do not involve Third Dimension pictures but wide pictures with depth. The nearest to the Third Dimension pictures are those that are projected by the Spoor system. But even these cannot be called "Third Dimension" by any stretch of the imagination. Only if pictures should stand out on the screen just as they stand out in a home stereopticon could they be called Third Dimension. And the prospects of having such pictures seem to be a long way off.

* * *

(1) It is the belief among those that have experimented with wide film that the screen dimensions for large pictures will be somewhere between 20 x 30 and 25 x 40 feet, the long dimension naturally being the horizontal. Theatres of extremely large seating capacity may have bigger screens. A suitable screen width for the average theatre would probably be between 30 and 35 feet. The screen must stand sufficiently back to avoid making many of the front rows of seats in the orchestra useless, but not so far back as to cause the top of the proscenium to cut off the top of the picture. Even then, there must be a sacrifice of a considerable number of seats. The first five or six rows in the orchestra, for example, will be made useless in any event. So will a large number of side seats, the number of such seats depending on the width of the building. The wider the building, the greater will naturally be the number of seats made useless. Seats in the balcony, too, will be affected, but not in the same degree. The front rows will not be affected at all, but some of the side seats may be made less desirable.

(2) The projection booth had better be large enough to accommodate a battery of four projectors. No one is in a position to say just now whether the same projector will run both wide and present film; therefore, those that will use wide film will need space for two of the present pro-

jectors and two wide film projectors. Large theatres in key cities may require space for even three wide film projectors in addition to the space for the two present-day projectors, the third projector to be set up for emergency. Each of the projectors would naturally have to be equipped with a sound head. In all probabilities the same amplifiers and loud speakers will be used for the entire equipment.

(3) It is unlikely that more than 100 theatres will be equipped for wide film before the summer of 1930. These will naturally be large theatres in key cities. It is predicted that the demand for wide film will hit the smaller theatres by spring, and that there will be a considerable demand for equipment before the end of 1930. It is unlikely also that there will be a great supply of wide film available for exhibitors before next summer, if then.

* * *

Another question that is no doubt being asked by many exhibitors and others connected with the motion picture industry is this: Will there be a complete change from 35 to 70 millimeter film? If so, how long will it take to effect such a change? It is important that these questions be answered in the minds of the leaders of the motion picture industry before the demand for the change is made generally so that they may know where they are headed, for unless a definite program is set by these leaders now the industry will suffer losses that it will take years to recover. It is estimated that a sudden radical change in the equipment and in the method of producing and distributing film will cost anywhere from one hundred to one hundred and fifty million dollars, and no industry can stand such a drain without a serious setback.

Let us glance into the probable cost of the change:

There are at present about 40,000 projectors in use in the seventeen thousand theatres in the United States and Canada and in the studios and other places. Assuming that only ten thousand theatres change from the standard size to the seventy millimeter film, it will be necessary to manufacture at least twenty thousand projectors; and with the projectors that are required in the studios, in the exchanges and in other places, which may run up to ten thousand, the total number of new projectors required immediately may run up to thirty thousand. Assuming that these will cost an average of \$2,000 per machine, the outlay on this item alone will be about \$60,000,000.

As to cameras, it is estimated that there are approximately 4,000 in use. To replace these cameras it will require an expenditure of at least \$8,000,000, assuming that the cost of each such camera will be about \$2,000.

For printers and developing machines it may require another such sum, and even greater.

For necessary changes in the studios you may add other millions.

How much money will have to be spent in other items required by the new order of things it is hard to estimate. But the total cost of between \$100,000,000 and \$150,000,000 that has been estimated is not excessive.

To manufacture 30,000 projectors it will require at least three years. Of course they could be manufactured in less time but it will require additional machinery and the training of a double or even triple the present skilled force. The cost of this has to be apportioned to the projectors, for the added machinery will be partly useless afterwards. If this were done, the price of the projectors would be prohibitive to many exhibitors.

It should take just as long to manufacture the cameras, the printers and the developing machines, which, too, could no doubt be manufactured in less time; but it will be inadvisable so to manufacture them for the same reasons

(Continued on last page)

"Hold Your Man" (100% T-F&D)

(Univ., Oct. 13; syn. 5,794 ft.; sil. not determ.)

A fair program picture. There is comedy here and there but the plot is too thin to raise the picture to a higher classification.

The story revolves around a husband (hero), a lawyer, who annoyed by his wife (heroine), because she will not let him study in the evenings; she made too much noise, so they quarrel. The heroine wants to go to Paris to study art but the husband will not let her do it. She insists, however, on going. A former sweetheart of the hero, having designs on him, induces him to let her go to Paris. While in Paris the heroine meets a bogus Count and feels as if she ought to get a divorce and marry him. In the end, however, husband and wife become reconciled; each had learned that the other had many virtues.

The plot has been founded on the farce comedy by Maxine Altan. Emmett Flynn directed it. Laura LaPlante is the heroine. Scott Kolk, Eugene Borden, and Mildred Van Dorn are in the cast. The sound reproduction is good. (Time, by watch, 63 minutes. Silent values fair.)

"The Girl in the Show" (100% T-F&D)

(MGM, Aug. 31; syn. 7,574 ft.; sil. not yet determ.)

Some one blundered in making this picture. And it is going to prove an expensive blunder for both MGM and the exhibitors, because MGM has spent considerable money in making it and the exhibitor must have paid a big price for it, for Bessie Love and other good names appear in the cast. But no matter what the cost to an exhibitor he should rather bear it bravely and shelve it than show it and suffer the consequences. It is "terrible." It deals with a travelling "Uncle Tom's Cabin" show, in which Bessie Love takes the part of Eve. The show is a bust. Ford Sterling, who owned the show, runs away with whatever money he had collected from one of the performances, and leaves the troupe stranded. Bessie Love, who loved Raymond Hackett, the Simon Legree of the show, and was loved by him, in order to save the troupe from going hungry and to provide a nice home for her little sister, accepts the marriage proposal of Jed Prouty, who tells her that he is a furniture man, although he is in reality an undertaker. There is a quarrel between the lovers and Bessie Love tells Raymond Hackett to mind his own business. Raymond is heart-broken but can do nothing about it. The wedding ceremony is about to be held when Raymond announces that he had hired the local opera house and had made everything else ready for the giving of a show, with Bessie's little sister, a precocious little girl, as Eva. Bessie is, of course, peeved to think that any one else will be Eva and drops the preparations for the wedding to be in the show to see to it that her sister has a good maid. Bessie gives the sister enough candy to make her sick. She then plays Eva. The show is a success but the marriage is a bust, for Bessie and Raymond decide to make up.

"Eva the Fifth," by John Kenyon Nicholson and John Golden, furnished the plot. Edgar Selwyn directed it. Mary Doran, Edward Nugent and Lucy Beaumont, appear in the cast. The reproduction is fairly good. (Time by watch, 80 minutes. Silent values nil.)

"Applause" (100% T-F & D)—with Helen Morgan

(Param., Jan. 4; syn. 8,079 ft.; sil. not yet determ.)

Were this picture one of the best made, its title would have hurt it, for it seems as if every one, patron or moving picture man, refers to it as "Applesauce." But the picture does not seem to be the kind that will prove popular, for the reason that it is sordid, although here and there there is a bit of acting and a situation that will be remembered long after the picture was seen. The scene where Joan Peers, impersonating the heroine's daughter, is shown praying silently, manifestly to be protected from danger, should prove deeply moving, particularly to persons of the Catholic faith. The young girl had just come out of the convent and her mother's lover had been using every ingenuity to get his clutches on her. The scenes in the convent are other bits of rare artistic composition. But these scenes are impotent to lighten the heaviness of the story, which is really that of an actress who lived with a man without being wedded to him, and the efforts of the man to "shake off" the mother and to befriend the daughter. It would not have been so offensive had the daughter been presented as being less innocent. But to see an unprincipled man trying to ruin a girl so pure and so good should prove an offense to every father and mother, no matter what his belief may be. One thing that stands out, however, is the acting of Miss Helen Mor-

gan; as a mother she fights for her offspring just as any mother would, even though she was too inuated with the scoundrel, who afterwards became her husband, to see what he really had in his mind. The love affair between the young girl and the hero, sailor of the U. S. Navy, is another bright spot in the picture. The young gob, impersonated by Henry Wadsworth, is a clean-cut young fellow. This naturally makes the love affair more charming. Considerable comedy is caused by Mr. Wadsworth, who is shown as having fallen in love with Joan Peers at first sight.

In one of the situations, Helen Morgan is made to say that there are two girls in the show who are good because they are Catholics. Such an expression may prove an affront to persons of other faiths. Even Catholics themselves objected to this expression on the evening of the first showing. Paramount will do well to cut this part of the film out.

The plot has been founded on the book of the same name by Beth Brown. Rouben Mamoulian directed it. In addition to the three actors mentioned, Fuller Mellish, Jr., Jack Cameron, Dorothy Cummings and others appear in the cast. The reproduction of the speaking was good. (Time by watch, 90 minutes. Silent values fair.)

"Hurricane" (100% T-F&D) Hobart Bosworth

(Columbia, Sept. 30; syn. 5,852; silent not yet determined.)

Those that like virile plays should find good entertainment in "Hurricane." It seems to be a mixture of two pictures produced by Columbia in recent years—"Blood-ship" and "After the Storm." Sound naturally adds some dramatic values to the story, making it a better picture than it would be as silent. As in the other two pictures, Mr. Bosworth is presented as having lost his wife; he thought she had run away from him to follow the villain. The truth of it comes out when the hero picked up his wife and daughter at sea in a boat, the ship owned by the man she is supposed to have run away with having gone down during a storm. In order to revenge on her, he decides to give her daughter as a wife to a ruffian. The ruffian and his men among the crew make ready to mutiny. A young man, who is in love with the woman's daughter (heroine), informs the captain of the contemplated mutiny. The hero's wife eventually convinces the hero that she had not been unfaithful to him; she told him that she had married the other man after she was made to believe that he had drowned at sea. She tells him that the girl is his own daughter. Horrified at the thought of what wrong he would have done had he forced her to marry the ruffian, he rushes to her rescue. At that moment the ruffian and his men mutiny. There is a battle, but the hero and his faithful crew, helped by the young man, succeed in quelling the mutineers. The young man and the young woman are married with the blessing of the hero and of his wife, who had recovered from her illness.

The story was written by Norman Springer and Evelyn Campbell. Ralph Ince directed it. John Mack Brown is the young man, Leila Hyams, the young girl, and Leila McIntyre, the hero's wife. Allan Roscoe is the villain.

The silent values are pretty good. It is not a substitution. (Time, 62 minutes.)

"They Had To See Paris" (100% T-F&D)—with Will Rogers

(Fox, Sept. 8; syn. 8,602 ft.; sil. not yet determ.)

There is nothing to brag about this Fox picture. It is about a small-town man, who, having been made wealthy by oil, is induced by his family to take them to Paris. In Paris the wife meets counts and other celebrities and it goes to her head; she wants a count as a husband for her daughter. Her ignorant, unmannered husband is no longer good for her. And she tells him so when he spoils a reception given by her, in which he appears in a night robe, hand in hand with the Russian Duke Michael, with whom they had had several drinks. But in the end, the wife realizes what a noble husband Pike Peters had been.

Irene Rich, as the wife, does not get much sympathy. When she goes back to the hero she does not do it from a worthy motive but by her fear lest she lose him. Owen Davis, Jr., as the son, is a "stick"; his voice lacks warmth. Mr. Rogers is given an opportunity to display his brilliance only rarely.

Homer Croy wrote the story, and Frank Borzage directed it. The sound reproduction was fair, but this is owed, no doubt, to the poor acoustics of the Roxy. (Time, by watch, 86 minutes. Silent values only fair.)

"Sunny Side Up" (100% T-FN) with Janet Gaynor

(Fox, rel. date not yet set; 11,311 ft.)

There is in this picture a situation that is so "hot" that I fear we are going to have censorship of the worst kind. The song "Turn On the Heat" is pretty raw in itself; but with the sensuous acting of the chorus girls, dressed as eskimoes in a supposed arctic climate, wriggling and wobbling until the igloos and the surrounding snow melt and palm trees push their way through the ground, turning the frigid climate into torrid, making it necessary for the girls to shed their clothing until hardly anything remains on them, makes it too much for the picture to escape censure. One of the chorus girls is shown lying on her back and wriggling more than the others, as if she were nothing but fire. The large-size screen is used for this immense act and occasionally color is employed for the jack-o-lanterns, used to light up the garden. Sparklers of fireworks are also displayed in color sparingly.

Briefly, the story revolves around the heroine, a shop girl, who dreams that some day she will meet her prince charming, a tall, handsome man. At the Fourth of July celebration in the poor neighborhood in which she lives, she meets the hero. He is driving aimlessly in his automobile after having quarrelled with his fiancée, a society girl living in Southampton, and is slightly hurt when attempting to avoid hitting a child at the block party. Eric helps him out of the car and suggests that he go to his room to lie down and rest. But the hero picks out the wrong room and enters the room in which the heroine lived. She is getting ready to dress for her part in the party and at first is amazed when she sees the hero, whom she knew from his picture in the society columns of the papers, but she notices that he is injured and lets him rest in her room. He observes her singing and dancing while looking out of the window and becomes so fascinated with it that on her return he pleads with her to go to his home in Southampton, and to help his mother stage a charity show. He agrees to finance all the expenses and they all go, Eric as a butler and Marjorie and Eddie as a maid and servant. The hero's mother introduces her as a society girl from Detroit and all fares well until the mother overhears a conversation to the effect that the hero is supporting the heroine. This leads her to force the heroine to go back to town. The hero, who had brought the heroine out for the purpose of making his fiancée jealous, realizes he loves the heroine instead and he goes to the city to tell her so. The heroine tells him that she will not marry a man who merely pities her. He goes back to the home where the heroine had stayed while in the country, and while he is playing their song, "If I Had a Talking Picture of You" she returns to get her diary. In the meantime the hero's mother learns that she is mistaken about the heroine and urges the hero to go to her. As the heroine is leaving the house, having retrieved her diary, she hears his voice and realizes that he is sincere about his love for her.

The cast is excellent, and the direction by David Butler, artistic. Settings and tuneful songs make this picture highly entertaining. Miss Gaynor has a sweet singing and talking voice in addition to her beauty and dramatic talent. She is ably supported by El Brendel, as Eric the Swedish-American grocer, who protects her in a brotherly way. He and Marjorie White, as her pal, Bee, contribute most of the hilarious comedy. Frank Richardson, as the would-be song-composer, Eddie, Miss White's sweetheart, adds to the fun. Charles Farrell is pleasing as the rich hero, and has a pleasing, though weak voice. Sharon Lynn, as his wealthy fiancée, is good. Others are Mary Forbes, as the hero's mother, Joe Brown, as the master of ceremonies at the neighborhood block-party, Alan Paull, as child entertainer at the party, and Peter Gawthorne as the gossiping butler.

The first part showing the homelike scenes of a poor neighborhood on the Fourth of July, with the heroine and her pals putting on their acts at the block-party, is full of laughing situations and pathetically human ones, too. "You've Got Me Pickin' Petals Off the Daisies," sung and acted by Bee and Eddie, is one of the funniest skits. The recording most of the time is good though ground noises are heard occasionally. DeSylva, Brown and Henderson wrote the song hits. Seymour Felix staged the musical numbers. (Time by watch, 115 min.)

"Salute" (100% T-F&D)

(Fox, Sept. 1; syn. 7,678 ft.; sil. not yet determ.)

It is just a pretty good entertainment. The best part of the picture is the Army and Navy football game. The

scenes at Annapolis and at West Point have been done well.

The story revolves around a young man, grandson of a famous American admiral, who is sent to Annapolis. His brother (hero) is famous as a football player at West Point. The young man tries to live up to the fame of his grandfather, but he is too small in stature to succeed. Every one makes fun of him, and he decides to quit. A young girl (heroine), however, pricks his pride and induces him to remain. He applies to the football team the first year but makes a failure. The second year he tries again. At the Army and Navy game his brother is the lion. The game proceeds and West Point is about to win it when the coach allows the young brother of the hero to take part in the game. The young man stops him at a crucial moment from carrying the ball to its goal, and the game is a tie. The young brother was angry at his brother because he had, as he thought, stolen his sweetheart. But after the game the hero tells his young brother that he merely tried to make him realize that the heroine was worthy of his (the young brother's) attention. He assures the young brother that he was not angry at his not having won the game for his team. He felt as if he had a defeat coming to him, because of the way he had been acting. The two brothers thus become reconciled. And so do the young man and the heroine.

Tristram Tupper and John Stone wrote the story, and John Ford directed it. George O'Brien, William Janney, Stepin Fetchit, David Butler, Rex Bell and others are in the cast. The reproduction was fair. (Time by watch, 83 minutes. Silent values fair.)

"The Unholy Night" (100% T-D)

(MGM, Sept. 14; syn. 8,621 ft.; sil. not yet determ.)

The first two-thirds is very interesting, but it is ruined in the last third. It is a murder mystery melodrama, in which the remnants of the officers of a British Regiment, which had fought at Gallipoli, near the Dardanelles, Turkey, figure prominently. One by one the officers were being exterminated and Scotland Yard was unable to detect the person or persons that had committed the crimes.

The picture opens on a foggy night in London, and shows an attempt being made on the life of one of the officers of that Regiment, Lord Montague (hero, impersonated by Roland Young); some one had thrown a rope around his neck with the intention of strangling him. (This episode will not prove very cheerful for Londoners). The screams of a woman, who was near the scene of the attempted murder, frightens the criminal. A police officer rushes to the rescue. The hero regains consciousness and is taken to Scotland Yard headquarters, where he is interrogated by the Chief Inspector, who was trying to get a clue that would lead him to the murderer. When the Inspector learns the hero's identity, he requests him to invite his remaining brother-officers to his home, where he might keep them under close watch and might be able to detect the criminal, who might undertake to carry on his work there. Immediately after the officers appeared, one of them is found murdered. This latest murder puzzles the Inspector still more. The following morning all but the hero are found strangled in their beds. At the same time the body of the supposed dead officer had disappeared. But shortly afterwards it comes to light that the apparent strangling of the remaining officers was part of a scheme of the Inspector's to help him detect the criminal. It was a success, for he had found out that the woman who had sought asylum there was the murderess; she had put the supposed dead officer under a hypnotic spell, her intention being to order him, while under that spell, to strangle all the officers. Her motive was a desire on her part to revenge the humiliation of her dead father. He was an officer of the regiment, and was expelled from the ranks when he was found cheating at cards. In Turkey, where he had gone after his resignation from the army, made much money and left one million pounds, the terms of the will being that the money be divided equally between his beautiful daughter and the remaining officer of the regiment. He felt that a beautiful woman and money would have caused dissension among the officers, which might eventually lead to their extermination.

Ben Hecht wrote the story, and Lionel Barrymore directed it. In the cast are: Ernest Torrence, Roland Young, Dorothy Sebastian, Polly Moran, George Cooper, Sojin, Boris Karloff, Claude Fleming, Clarence Geldert, John Miljan, Richard Tucker, John Roche, Lionel Belmore, Richard Travers and others. The reproduction of sound was poor, owing to bad recording as well as to bad house acoustics. (Time, by watch, 91 minutes. Silent values poor.)

given in the case of the projectors.

On the studio end, it will require no less than two years to produce enough film to supply the theatres regularly.

It is estimated that if a change to the wide film were to be necessary, such a change will not be effected fully in less than five years' time. Any attempt to effect it in less time will cost the industry great sums of money.

If the relative improvement value for the various purposes effected by the use of the wide film were to be expressed in percentage terms, we might arrive at the following conclusions:

	Relative Improvement Value
For News Reels and Location Shots.....	100%
For Spectacles (such as Musical Comedies).....	100%
For Dramatic Situations.....	50%
For Close-ups	00%

The reason why no greater improvement value is placed on dramatic situations is owed to the fact that, in situations where the action is centered on one, or two, or three of the characters, acting in proximity with one another, the attention is centered on these characters. In such a case, the field outside the spot of the action becomes practically useless. On the other hand, its great value in Newsreels, location shots, and in musical comedies is undoubted.

The relative values of the different factors which will help make the ideal picture of the future and the stage of their development toward perfection may be expressed in the following percentage terms:

	Value	State of Completion
Story	100%	100%
Sound	80%	50%
Third Dimension	40%	00%
Color	30%	30%
Wide Film	30%	20%

Summing it all up, HARRISON'S REPORTS will say this to you: Do not become panic stricken by the prospect of a change from the narrow to the wide film, rushing to buy new equipment, thus going into heavy expense, unless you first know that you will be able to make a profit. Perhaps a new equipment will not be the only means of getting wide pictures with; experiments are now being conducted with a view to making possible the use of the present equipment. The results have not yet been such as to justify an announcement of success. But if there is any prospect of success, HARRISON'S REPORTS will inform you of it. In the meantime, take it easy!

CHARLES W. PICQUET, THE ALTRUIST

Mr. Charles W. Picquet, President of Motion Picture Theatre Owners of North Carolina, has made an analysis of the RKO and the Tiffany-Stahl franchises in the bulletin of the organization, mailed to the members.

After an introduction, in which he informs the members that he, at the request of Radio Pictures and Tiffany-Stahl, appointed a committee to co-operate with the distributors with a view to setting the points, he says:

"We want it thoroughly understood by our members that we are neither indorsing nor condemning the Franchise plan but we are more than willing to co-operate in every way in an effort to arrive at a fair rental basis between Distributor and Exhibitor. We have thought best, however, to acquaint you with a few points you might overlook in reading the Franchise plan..." Mr. Picquet then goes on to express his opinion of the franchise.

He calls the attention of the exhibitors, first, that the franchise holder is obligated to play all the pictures, without any right to cancel one out of each ten upon the payment of fifty per cent. of the rental price; secondly, that he agrees to play the pictures in the order of their release; thirdly, that the exhibition value is set before the picture is produced and therefore it is based on promises and not on the completed product; fourthly, that if he should sell his theatre he may cancel the franchise; fifthly, that if he acquired a new theatre, better than the one he bought the franchise for, he is obligated to transfer the franchise to the new theatre; sixthly, that if he found at the end of the year that his rate is too high he has the right to apply for a revision, but that no provision is made for the cancellation of the franchise; seventhly, that if no exhibition value can be agreed upon such value is set automatically at three times the production cost, such cost to be based on the word of the producer; eighthly, that the distributor reserves the right to deliver the sound either on disc or on film, just as he chooses; and ninthly, which he emphasizes by putting the word "important" in a parenthesis, that the pictures must be played the number of days stated in the contract, and that if he should want to play them additional days he must

pay the full pro rata per day for each additional day.

What is Mr. Picquet's motive in sending out this criticism?

You can detect it in the first criticism, which deals with the fact that a franchise holder is obligated to play all pictures without any right to cancel ten per cent. of the group, where he says the following:

"It is solid block-booking with a vengeance, and the amusing part of it is that it is sponsored by Abram F. Myers who is reputed to be the author of the Brookhart Bill which would make it unlawful for any Distributor to sell pictures in blocks. We assume now that he does not favor the enactment of the Brookhart Bill."

This gives him away, for the language he uses is the same language that has been used by the Hays crowd in their efforts to defeat the Brookhart Bill, and to arrest the progress of Allied States.

Notice that Charlie Picquet says not a word about the fact that the franchise does away entirely with the score charge, and that it kicks arbitration out of the window.

But here is the joke of the whole thing: The First National franchise obligates the franchise holder to play every picture, on an exhibition value set by the Company, without any voice on the part of the franchise holder, long before a picture is produced, and with no right to cancel ten per cent. of the entire group, and yet Mr. Picquet has not sent a circular condemning it. Not even the fact that First National refuses to deliver sound pictures under the franchise has it moved Mr. Picquet to tears. The same thing may be said of the Warner Bros. and the Paramount franchises; both compel the exhibitor to play all the pictures. The fact that, in the case of Radio Pictures and Tiffany franchises, the exhibition values are set by a committee consisting of representatives of both distributors and exhibitors has not, it is manifest, come to the attention of Mr. Picquet, this great altruist. The Warner franchise compels the franchise holder to transfer the franchise to the newer theatre, if it should be better than the old theatre, and yet this Jeremiah has not reserved a single tear for it. He objects to the fact that, when no agreement can be reached as to the exhibition value, such value automatically becomes three times the production cost, based on the figures of the producer. Evidently Mr. Picquet is unaware of the existence of public accountants, and that such accountants are able to see that the pro rata of the overhead for the studio is not any higher than that put on the other pictures, on which an agreement as to proper exhibition values was reached easily. He also seems to bewail the fate of the exhibitors, who will by virtue of the terms of the franchise be compelled to accept any kind of sound that the distributor chooses to deliver to them. How unfortunate it would be if you, for example, had a disc installation and Radio Pictures delivered you a print with the sound on the film! If such a thing should ever happen, I am sure you will think of Charlie Picquet, who warned you of it. It is too bad that I cannot weaken in my determination to maintain the dignity of this paper. If I could I would certainly tell Mr. Picquet how intelligent are, in my opinion, persons that will offer such a reasoning.

I am refraining from making any more comments on his criticisms of the various points simply because he has not, as it is manifest, made these criticisms with sincerity. The exhibitors have for years been groaning under the unjust, unfair, and even confiscatory terms of the Standard Exhibition Contract, under the arbitration system that has been controlled by the Hays organization, by the million and one abuses that had been practiced against the independent exhibitors, including the brazen substitutions. And yet this man never raised his voice in protest. In the last three or four weeks, HARRISON'S REPORTS called the attention of the exhibitors to the fact that the Road Show defining clause in the newer Warner franchise is so unjust, so unfair, that it made the bones of the dead creak, and yet Charles W. Picquet did not take a step to see that Warner Bros. modified it, or at least to call the attention of the members of his organization to its inequity, cautioning them to read it carefully before affixing their signature to it. But he has called the attention of the exhibitors to flaws in the RKO and the Tiffany franchises. What is back of it? You had better ask Will H. Hays about it.

I believe that we have given Mr. Picquet greater importance than he is entitled to. It is really immaterial what he thinks of it, for the franchise will be a success despite his views. What I wanted to do is merely to call the attention of the North Carolina exhibitors to the methods the opposition uses to fight any measure proposed for the relief of the independent exhibitors.

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THE DEATH OF ARBITRATION IN THIS INDUSTRY

The cheers of the Hays forces as a result of Judge Thatcher's decision that declared their credit system not illegal had not yet died down when the very same judge comes forward with another decision, which, this time, stuns them. By this decision, which he rendered on October 15, the judge declared that the arbitration boards in the motion picture industry are operating in violation of the Sherman Act. Both these cases had been brought in the federal courts against the producers and the Hays organization by the United States Government, which sought to enjoin them from further engaging in restraint of interstate trade and commerce.

The conspiracy charge by the Government was founded on the arbitration provision in the contract, and on the arbitration rules that are used by them to enforce the awards. The Government charged also that the exchanges, in addition to employing the rules and regulations that govern arbitration, made supplemental agreements and understandings with the purpose of better enforcing the awards. These, too, were declared by the Government as being used in violation of the same Act.

After giving a history of the founding of the Hays organization and of the film boards of trade; of the adoption of the first Uniform Contract and of its successor, the Standard Exhibition Contract; of the agreement between exhibitors and distributors to insert an arbitration clause in the contract; of the Trade Practice Conference in which the Contract Committee was appointed; of the Contract Committee's deliberations for the reforming of the contract and for the improving of the arbitration rules, and many other details, Judge Thatcher says:

"Assuming the contracts and the system of compulsory arbitration to have been just and reasonable in operation, the fact that many exhibitions were not represented in the conferences leading to their adoption cannot be disputed. One can hardly imagine a more direct restraint upon trade than an agreement between competitors in an open market not to trade except upon terms which they have fixed in advance. But it is argued that the terms of the Standard Exhibition Contract were not unfair or unreasonable; that the system of compulsory arbitration has been of great advantage to exhibitors and distributors alike, and therefore that the agreement of the distributors to use only this form of contract in all their dealings, and to enforce its arbitration clauses by collectively refusing to deal with any exhibitor who fails to comply with them, is not an undue restraint of interstate commerce within the meaning of the Statute as interpreted in the *Standard Oil case* (221 U.S. 1.) and the *American Tobacco Case* (221 U.S. 106). In judging the inherent character of the restraint one must look not only to the restraint voluntarily imposed upon the competitive activities of those who are in the combination, but also to the involuntary restraint imposed upon the freedom of outsiders to engage in trade under natural and normal conditions. It is therefore not enough to say that competition between distributors is keen and active, or even that it has been prompted and enhanced by what has been done, if, in fact, it can be seen that the freedom of others to engage in trade, to enter into normal commercial agreements, and to have recourse to the courts for their rights, has been unduly restrained by the coercive and collective action of the defendants. That competition between the distributors has been promoted by the adoption of the Standard Exhibition Contract, and that in many ways general trade conditions have been vastly improved, I have no doubt, and so find.

But the record is equally clear that all this good has been accomplished through the exercise of irresistible economic force consolidated by combination in the hands of the distributors, who collectively control the available supply of films and by virtue of this control have imposed their will upon the industry. By agreement of these distributors exhibitors who were not represented in the adoption of the uniform contracts have been constrained to accept their terms regardless of their wishes, and by the compulsory system of arbitration, sanctioned and enforced by the collective action of the distributors, have been constrained to perform the contractual obligations thus assumed. In fairness it cannot be said that the restraint imposed upon these exhibitors is voluntary because they accept and agree to be bound by the contracts. They can have none other, because the defendants have agreed that they shan't; and unless something more than the mere acceptance of all they can get is shown they must be said to have acted under an involuntary restraint, imposed and continued by the defendants to the end that the contracts shall be signed and their terms obeyed. That such coercive restraint upon the commercial freedom of an exhibitor who was neither represented nor consulted with reference to the agreement to adopt the standard form of contract is undue and unreasonable both at Common Law and under the Sherman Act, I cannot doubt. Gains resulting from such restraints to the industry as a whole do not in the eyes of the Statute justify the vicarious sacrifice of the individual, even for the sake of bigger and better business. A State Legislature could not lawfully impose compulsory arbitration upon the motion picture industry. (*Wolff v. Industrial Court*, 262 U.S. 522.) Much less should it be within the power of a combination of practically all the distributors to do so by coercion exercised through control of the available supply of films.

"The decision in *United States v. First National Pictures, Inc.*, *supra*, is distinguishable because in that case the collective power of the defendants was exercised to correct fraudulent and irregular trade practices by demanding reasonable security for the performance of new contracts. Under the circumstances there disclosed there was nothing oppressive in what was done pursuant to the Credit Rules. This case presents an entirely different situation. The distinction lies in the inherent nature of the restraints imposed, and in the instant case the restraint if not shown to have been voluntary on both sides is oppressive, and therefore undue and unreasonable.

"Nothing that has been said should be taken in derogation of the right of trade or commercial groups, or of traders generally, to voluntarily impose upon themselves standard forms of agreement which do not unduly restrict competition and thus restrain trade, or to agree that all the controversies arising between them shall be settled by arbitration. Such agreements dealing only with the rights of those who execute and intend to be bound by them are normal and usual, and are proper instruments in the lawful conduct of trade. It is only when such agreements are sought to be imposed upon others, regardless of their wishes, by coercive combinations having the power to say "take what is offered or get nothing," that they become illegal.

"Upon settlement of the decree the parties may suggest provisions, if such be feasible, under which uniform contracts containing arbitration clauses may be voluntarily adopted by the members of this industry without coercion or other unlawful restraint."

(Continued on last page)

"The Return of Sherlock Holmes" (100% T-F&D)

(Param., Sept. 14; syn. 7,102 ft.; sil. not yet determ.)

Whatever faults one may find in the remaking of Sherlock Holmes and of some of the other characters and in the modernizing of the action somewhat, one cannot help feeling that "The Return of Sherlock Holmes" is an entertaining picture. It is sure to appeal to such of the picturegoers as do not seek heavy stuff. Owing to good plot construction, the picture holds one's attention, at times grippingly; one wants to know how Sherlock Holmes will be able to rescue the young man, who had been abducted and made prisoner by Professor Moriarity's men, and how the greatest detective will be able to escape death at the hands of the ingenious master mind. The scenes in Professor Moriarity's state room, aboard the ocean liner, where Sherlock Holmes was going through his effects with a view to finding clues to his crimes, and where he had discovered the heroine's sweetheart bound and gagged, liberating him, are suspenseful. So are those that show Sherlock Holmes discovered in the professor's room and having a "last" supper with him. The scenes that show the great detective victorious over the ingenious professor; the professor's death and the detective's immunity from the professor's poisoned needle in the cigarette box, have been done interestingly.

The plot has been taken from two of Conan Doyle's books, "The Dying Detective" and "His Last Bow." They show Sherlock Holmes return to activity in order to discover the murderer of a friend of his, and to find the murdered man's son, who had disappeared, having been kidnapped by the confederate of the great criminal, Professor Moriarity.

Clive Brook takes the part of Sherlock Holmes; he does credit to it. Betty Lawford is the heroine. Donald Crisp is the doctor, confederate of Professor Moriarity. Harry T. Morey is the professor. They all do good work. The sound reproduction is good. (Silent values, very good; time for the synchronized version 77 minutes.)

"The Delightful Rogue" (100% T-F&D) Rod LaRocque

(Radio, Sept. 22; syn. 6,684 ft.; sil. 5,774 ft.)

A nice little comedy drama. The recording is excellent and the dialogue brings many chuckles, keeping the audience in good humor. There is mild suspense, also. Mr. LaRocque's voice is very good and the role suits him admirably. Rita La Roy is a charming heroine whose voice records well, too.

The story revolves around a comic-opera pirate (hero) who is feared by everyone. He is supposed to be a woman-hater. With the knowledge that he will be killed if he should go into the waterfront town, he seeks entertainment where he meets the heroine, half owner of a cabaret, and its chief attraction. He falls in love with her but she is in love with a well-to-do American, who wants to take her back home with him. He is sort of caddish, in that he is brave only when there is no danger. He informs the troops that the hero is to meet the heroine on the beach and has him taken to jail. But the hero's men, who had entered the jail, lead the troops into the river and take the young American to the heroine's ship. Later the heroine comes to ask him to free the young man. He makes a seemingly insultingly proposal that they spend the night together. The heroine decides to stay in the room with the hero till morning to test the young man's love for her. He proves to be not so deeply in love when he thinks she is bad. But when he learns that nothing had happened, he takes the heroine away from the ship. She swims back, however, to the ship, and agrees to go with the hero.

Others in the cast are Ed Brady, Charles Byer, Harry Semels, Sam Blum and Bert Moorehouse.

Leslie Pierce and Lynn Shores directed it from the story by Wallace Smith.

It should make a fair silent picture. (Time by watch, 72 min.)

"Welcome Danger" (100% T-F&D) Harold Lloyd

(Param., Oct. 19; syn. 9,955 ft.; sil. 10,796 ft.)

If the reception given to this picture at the Rivoli Sunday morning, when most of those that attended that performance had just got up from bed, and naturally were not in the best of humor for a comedy entertainment, is any criterion, "Welcome Danger" should make the greatest hit any Harold Lloyd picture has made to this day. People were kept in roars. Children, in particular, became

hysterical from laughter; and when they were not hysterical, they were made to sit at the edge of their seats, for the picture is a mixture of comedy and Chinatown melodrama. Most of the comedy, in fact, is caused in the scenes where Harold Lloyd and Noah Young, who takes the part of a policeman, on his beat in Chinatown, trap themselves in a basement in Chinatown, while they were making an effort to detect and to free a Chinese doctor, who had been attending the heroine's young crippled brother. The value of sound becomes most apparent in these scenes, which at times are dark and only the talking of the characters is heard. In a silent picture the talk will have to be represented by subtitles.

The efforts of the hero to detect the "Dragon," a white man at the head of a Chinese organization of cutthroats, is the cause of much comedy and suspense. The comedy comes from the fact that the hero is presented as sort of amateur detective and his colleagues will not believe that he is capable of capturing anybody, let alone the Dragon. The fact that he was on the right trail, but that he was unable to convince the Chief of the Police or his colleagues that he had had a clue that would help him detect the Dragon adds so much more interest, particularly towards the end, which shows the hero vindicated at last. The scenes in the fingerprinting room at headquarters, where the hero is shown determined to fingerprint every one, resorting to ruse at times to get the fingerprints of unwilling officers, are comical.

The plot has been founded on a story by Ted Wilde and Clyde Bruckman. It was directed by Mr. Bruckman himself. Mr. Lloyd does the best work of his career. Barbara Kent is the heroine. Douglas Haig, Charles Middleton, William Walling and Jimmy Wang are some of the other players in the cast. The sound reproduction is very good.

The silent values are very good. (Time, synchronized version, 111 minutes; silent, from 2 hours to 2½ hours.)

"A Most Immoral Lady" (100% T-D)

(First Nat.; syn. 7,145 ft.; Sept. 22; sil. Nov. 3)

Mediocre! No one can be interested in the crooked doings of a heroine who is too weak to resist the persuasions of a husband to become a party in his blackmailing schemes, particularly when she herself is to be used to entice the victims. No interest can be aroused in such persons and in their actions; not at least in the way they are shown in this picture.

The story opens showing the heroine fall into a Wall Street man's schemes; he gave her a supposed market tip and she induces her husband to invest heavily. They lose every cent they had invested. The husband, in desperation, persuades his wife (heroine) to help him blackmail people, so that they might be enabled to pay their debts and to live in comfort. The husband brings wealthy people to the house and the heroine makes them fall in love with her. One of them (impersonated by Montagu Love) is taken for \$5,000. His nephew (hero) falls in love with the heroine. The heroine loves him, too, and begs her husband not to play the same trick on him when accidentally they are caught together in their home at night. But the husband insists upon being paid. The uncle, having learned that the hero was visiting the heroine, and feeling that he was about to become a victim of their blackmailing scheme, goes to the heroine's, enters the apartment, and informs the hero of what had happened to him. The hero asks the heroine if his uncle's accusations were true and she admits it, pleading with him to believe her that she begged her husband not to trick him. He does not believe her and leaves in disgust. Months later they meet in Paris, the heroine having obtained a divorce. The hero then learns that the heroine had told him the truth when she asserted that she was not a party to her husband's attempt to blackmail him.

The plot has been founded on the play by Townsend Martin; it was directed by John Griffith Wray. Leatrice Joy takes the part of the heroine; Sidney Blackmer the part of the blackmailer; Walter Pidgeon that of the hero. Josephine Dunn, Robert Edeson, Ronald Reed and others are in the cast. The sound reproduction is poor, manifestly because it is duped; it lacks crispness, and "booms" considerably. (Silent values poor. Time for the synchronized version, 80 minutes. Length of silent version has not yet been determined.)

"DISRAELI" WITH GEORGE ARLISS

In the review that was published in the issue of October 12, it was stated "Disraeli" was shown at the Strand as a regular picture. This was a typographical error. It is showing at the Warner theatre, as a road show.

"Sailor's Holiday" (100% T-F&D)

(Pathe, Sept. 14; syn. 5,260 ft.)

A rare comedy, breezy and interesting. The central figures are two U. S. Marines, and their exploits at ports. It is full of side-splitting comedy situations. The comedy starts at the very start, where the hero and his pal are shown hailed for having given a black eye to a boatswain's mate. The story of one of them (hero) is accepted by the captain as true and they are let go without being punished. They are cautioned, however, to be more careful in the future. The later scenes show the hero and his pal ashore, being accosted by a girl; she tells them a hard tale—about her seeking her brother and about being out of money, and are moved into giving her five dollars. But soon they discover that they had been fooled, for the girl was a crook. Soon they come upon the heroine, who was actually seeking her brother; he had enlisted under another name and she had difficulty in locating him. Her story to the hero and his pal, however, makes them only laugh; they thought that she, too, was trying to play a game on them. But soon they are convinced that she was telling the truth and help her escape from a difficult situation, in which she had been placed innocently. They take her home, to the hero's mother, who receives her with open arms. The boatswain's mate, however, who had been following the three, finds them. He insists that he take the heroine to police headquarters, where she was wanted for a theft she had not committed. She insists that she is innocent, and that she merely was seeking her brother. Close questioning reveals to the boatswain that he is her brother and everybody becomes joyful.

The plot has been founded on a story by Joseph Franklin Poland. It was directed by Fred Newmeyer. Alan Hale makes an excellent hero. George Cooper takes the part of the hero's pal well. Sally Eilers is a good heroine. Paul Hurst, Mary Carr, Charles Clary and others are in the cast. The sound has been recorded well and the lines are clear. (Silent values, good. Time for synchronized version, 60 minutes. Film version shown.)

"One Hysterical Night" (100% T-F&D)**Reginald Denny**

(Univ., Oct. 6; film, 5,279; disc., 5,383 ft.)

Well produced, but only fairly entertaining. Most of the comedy comes from the fact that the hero, impersonated by Reginald Denny, is taken to an insane asylum and placed under the care of the doctor, who is made to believe that he was crazy; the intention of those that wanted him put into the asylum was to take hold of his fortune in accordance with certain provisions in a will. The scenes showing the hero, dressed as Napoleon, telling the heroine that he is not crazy and the heroine pretending to believe him, because most of those that are crazy think they are not crazy, are somewhat comical. There are many such comical situations all the way through. There are also some thrills, caused by the hero's escape. The trouble with the picture is, however, the fact that the average picture-goer dislikes to see the action of a drama unfolding in an insane asylum.

Reginald Denny wrote the story. William James Craft directed it. Nora Lane is the heroine. E. J. Ratcliffe, Fritz Feld, Slim Summerville, Jules Cowles and others are in the cast. The sound reproduction is good.

Silent values fair. (Time, disc version, 60 min.; film version, 58 minutes; silent version, 5,268 ft.)

"The Forward Pass" (100% T-D)
Douglas Fairbanks, Jr., and Loretta Young

(First Nat., syn. Nov. 10—80 min.; sil. not yet fixed)

This is another college football picture in which the hero is called upon to save the game at the last minute. But it is a good one. The plot has been constructed so well, and the principal players do such good work that the spectator's interest is held all the way through. Junior Fairbanks again distinguishes himself with his good acting. And so does Loretta Young. The football game is done unusually well. Douglas Fairbanks, Jr., as the hero, awakens considerable sympathy.

In the story it is shown that he is not interested in women very much. After a hard game, in which his ankle is sprained and is threatened with disability for life, he decides to give up football. He turns a deaf ear to the entreaties of the coach. The coach, in order to bring him back to the game, because he considered him indispensable, requests the college vampire to "vamp" him; he felt that a young man in love with a girl could not stay out of the game when he knew that his "girl" would be watching him

from the grandstand playing. She has a hard time "capturing" him but she eventually succeeds. Both fall deeply in love with each other. The hero joins the team again. On the eve of a big game the hero overhears a student relating the details of the part the heroine had played in inducing him to rejoin his team and is heart-broken. He has no heart for the game and is taken out for bad playing. But the heroine succeeds in sending him a note, assuring him that, though it was partly true of the part she had played, it was also true that she loves him. This puts "pep" into him and he goes back into the game, helping his college team to recover the lost ground.

Harvey Gates wrote the story; Eddie Cline directed it. The words are pretty intelligible all the way through. (Length, synchronized print, 7,246 ft.; sil. print not yet determined. Silent values good.)

"Marianne" (100% T-F&D)**Marion Davies**

(MGM, Oct. 12; syn. 10,124 ft.; sil. 6,563 ft.)

The many postponements made in the release of this picture gave many of us the impression that it was "just another picture." However, such impression is decidedly wrong, for "Marianne" is a distinctive motion picture, a mixture of comedy and song, mostly comedy. Miss Davies impersonates a French maid and she does her work excellently. Several times she is called upon to speak in French and she does it well; and most of the times she speaks English with an accent. This, too, she does well. She does well, in fact, in her part all through the picture.

The story unfolds in France, during the war days. (No war whatever is shown.) The action shows American soldiers billeted in a village where the heroine maintains a cafe. They all become fascinated with her beauty, but one of them, the hero (impersonated by Lawrence Gray) falls in love with her madly. But she will not have him because she is engaged to a French soldier, even though she had not heard from him at all, and did not know whether he still loved her or not. The hero is persistent and will not have "No!" for an answer, until the heroine is compelled to disclose to him the fact that she is engaged. The hero is heart-broken. The battalion is ordered to embark for home and the hero calls on the heroine to bid her "good-bye." While in her home her fiance, blind, appears and the heroine embraces him crying.

The story closes by showing that the blind French soldier had decided to become a priest, leaving the heroine free to come to America to the hero.

Though the comedy is plentiful, human interest is not lacking. The scenes that show the blind soldier appearing at the time the hero was bidding the heroine farewell is full of it. The scenes in America, where the heroine is shown meeting the hero, are tenderly pathetic, too. Most of the comedy is caused by Miss Davies. But Benny Rubin contributes a large share of it. George Baxter plays the part of the blind soldier. Others in the cast are Cliff Edwards, Scott Kolk, Robert Edeson and Emil Chautard. The sound has recorded well and the lines are clear at all times. In fact, one soon forgets that it is a picture and feels as if real human beings are talking. (Film version shown. Time, 1 hour and 50 minutes. Silent values good. Most of the material that was not worth anything for the silent version has been eliminated. The length of it has thus been reduced to 6,563 feet. Time for the silent version, from 76 to 94 minutes.)

"Barnum Was Right" (100% T-F&D)**Glenn Tryon**

(Univ., Sept. 22; film, 54½ min.; disc., 56 min.)

A fair program picture. It is the weakest story that has been given Glenn Tryon. There is a fair amount of comedy in it. Most of the comedy is supposed to be in the end, where a hotel, conducted by the hero is torn to pieces by the guests, who were seeking treasure supposedly hidden in it. The excuse for the hero's opening the hotel and advertising that there was treasure hidden in it was his desire to make money and thus, by convincing the heroine's father that he was a capable young man, obtain his consent for marrying his daughter. The story shows him as having succeeded in his purpose.

The stage play by Philip Bartholomae and John Meehan furnished the plot. The direction is by Del Lord. Merna Kennedy takes the part of the heroine, and Otis Harlan, of her father. Clarence Burton and others are in the cast. The words are intelligible only fairly. (Length, disc version, 5,042; film version, 4,938; silent, 4,316 ft. Silent values fair.)

Mr. Will H. Hays is thus now reaping the whirlwind. If he had listened to outside advice, advice that was sincere, he would not now see his arbitration system killed. He preferred to listen to some of those that surrounded him, even though their chief object was to preserve their salaries. Evidently he thought that he was so strong in Washington that he could afford to ignore the protests of those that suffered under his system. But he was wrong.

Judge Thatcher's decision is the greatest blow the Hays organization has ever received. It puts arbitration, as now practiced in this industry, out of business entirely. And any attempt on the part of the bootleg boards to function may make them liable to jail sentences for contempt of court. The fact that the producers may appeal from Judge Thatcher's decision to the Circuit Court of Appeals and, if they lose in that court, to the Supreme Court of the United States, makes no difference in the opinion of legal advisors; the judge's decision stands until it is reversed.

And not only does Judge Thatcher's decision kill the present arbitration boards, but it puts those exhibitors who have received adverse decisions in a position where they may sue for the recovery of the moneys paid in satisfaction of the awards; for, as the boards were illegally constituted, any decisions they may have rendered are illegal. The fact that you in some instances signed an agreement to abide by the award should make no difference; no two persons or groups of persons can nullify the laws of the land by a mere agreement between them. You had better consult your lawyer about this.

Let me make this thing plain to those of you that are not quite clear on the subject: If you should be summoned before the arbitration board, refuse to appear. If, despite your refusal to appear, the arbitration board, by virtue of Section 4A of the New York Arbitration Act, which grants the right to arbitration boards to render decisions by default, rendered a decision against you, request of your attorney to take the necessary steps to have the arbitrators declared in contempt of court. Remember that the arbitration clause in your contract is now null and void.

It is hardly necessary for me to say that Judge Thatcher's decision is a vindication of the policy of HARRISON'S REPORTS, which never ceased proclaiming the arbitration boards illegal instruments, for the same reasons given by Judge Thatcher—that they were the result of an agreement between competitors, just as were the acts of the members of the film boards of trade in demanding "additional securities" from exhibitors that refused to satisfy arbitration awards.

I wonder whether the Hays lieutenants will now issue statements to inform the public how many millions, collected from illegally decided arbitration cases, will be refunded to the theatre owners:

THE PRODUCERS HAD BETTER LOOK OUT!

If one is to believe the trade papers, the producer-distributors have decided, now that arbitration, as practiced in this industry, has been declared illegal, to enforce the deposit system.

There is nothing wrong on the part of individual producers to demand deposits from exhibitors that have proved unreliable in their dealings with them—it is lawful and proper for each one of them to want to protect his interests. But when they plan to demand deposits collectively, the matter differs; they may again find their actions in conflict with the law.

MRS. T. G. WINTER

Mrs. T. G. Winter, appointed recently by the Women's Clubs of the country as a contact point between the women's organizations and the producers with the purpose of eliminating what is objectionable in films, issued a statement recently assuring the country that no immorality can now be found in films. All films are, in her opinion, clean as a whistle.

Manifestly Mrs. Winter has not seen "Sunny Side Up"; or, if she has seen it, she shut her eyes when the Eskimo scenes were shown.

Mrs. Winter was appointed in her present position at the recent New York meeting of the club women. But the meeting was held under the auspices of Mr. Hays.

It is just acts like these that have made Mr. Hays lose

his influence among the church and other organizations in the United States. He has tried to fool them just as he tried to fool the exhibitors with his fine but meaningless slogans.

The influence of Mr. Hays among church organizations is at present zero. He is now a liability to the industry rather than an asset. But he has five years more to go before his contract expires. In the meantime the industry has to have him for that length of time, unless the producers realize that it is better for them to pay him his salary and give him an extended vacation. Let them put Charlie Pettijohn in his place. It can't be worse. Charlie is looking for the job anyway; he might just as well have it.

A CORRECTION

In the editorial, "The Other Half of the Truth," which appeared in the October 12th issue, I surmised that the news item that appeared in the Film Daily in regard to the Fox vs. Century Circuit substitution case was a press agent story, sent out by the office of Mr. Nizer, secretary of the Film Board of Trade of this zone. I have now learned reliably that no statement about this case was issued by Mr. Nizer's office or by Mr. Nizer himself. The news item was written by the Film Daily reporter, who was present when the case was tried. I have learned that Mr. Nizer issues no statements.

It was my intention, in making this correction in the interest of truth, to state again that the rights of exhibitors in substitution matters are not affected by this correction, because such rights are protected by law. But since Judge Thatcher's decision, this would be merely a waste of space, for no exchange can now say to an exhibitor, "If you don't lift the pictures that you claim are substitutions we are going to take you before the arbitration board." Such cases must now be taken to the courts, where you have a better chance to win, by proving misrepresentation.

Those of you who have lost substitution cases before the boards may now sue for the recovery of the moneys you have paid.

WILL MR. HAYS EVER LEARN?

The "ballyhoo" done for the Tennessee convention of Motion Picture Theatre Owners of America is extraordinary. Never is the history of national exhibitor conventions was the national organization given so much publicity by the trade papers.

It seems as if Mr. Will H. Hays will never learn. Not even the blow from Judge Thatcher has made him realize that it is better for him to do things in the open than to do them in secret.

No one will be fooled into believing that the trade papers are showing so much love for M. P. T. O. A. There isn't a single trade paper editor but knows that M. P. T. O. A. is now the tool of Will H. Hays.

The ballyhoo for this convention is done, as even children will guess, to offset the growing influence of Allied States. But will it succeed? Not if Mr. Hays understands the exhibitor spirit right.

It seems as if Mr. Hays cannot help acting the way he does. He is first of all a politician and he would rather enter a house through the back door than through the front entrance. But getting into the house through the back entrance often leads to being kicked out through the same place.

POOR JUDGMENT AND LACK OF GOOD TASTE

The Fox picture, "They Had to See Paris," shows Will Rogers, supposedly in a cafe in Paris, drinking beer and champagne and enjoying it.

Many persons in this country do not believe in prohibition; but there isn't a single normal person that does not believe in temperance.

The showing of a national character, such as Will Rogers is, drinking and enjoying beer and wine does not make for temperance; it is an invitation to the young to ape Mr. Rogers. They will think that it is "smart" to do what Mr. Rogers is seen doing in the picture.

The showing of this picture will not, I venture to say, be done without drawing protests from quarters that support prohibition.

The producers do not want censorship and yet they are doing everything they can to bring it about.

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No. 44

The Distributors' Excuse for Breaking the Law

"B" makes an attempt to murder "A" but does not succeed. "A" is in constant fear because he knows that "B" is armed and may shoot at him if they should meet again.

And yet these circumstances do not justify "A" from arming himself and going agunning for "B". Should "A" meet "B" and shoot and kill him, the law would hold him just as much responsible as it would if "B" had never done and did not intend to do any harm to "A"; it will consider him a murderer just the same.

The reasons the producers have given for installing an illegal arbitration system in the motion picture industry is the unreliability of some exhibitors.

This paper admits that there are some exhibitors that would not hesitate to take advantage of a distributor any time they get an opportunity, although it believes that, in proportion to the number of persons employed in exhibition as compared to the number employed in distribution, the percentage of bad exhibitors is not greater than the percentage of bad distributors. Let us, however, for the sake of argument leave comparisons out of consideration and accept the theory that there is a great number of bad exhibitors, and that this makes it necessary for the producer-distributors to protect their interests to a greater degree than persons engaged in other industries would seek to protect them. Does this fact justify the distributors from breaking the law?

And that is exactly what they have been doing since Will H. Hays came into this industry; they have, according to Judge Thacher, been breaking the law. "One can hardly imagine," the judge said, "a more direct restraint upon trade than the agreement between competitors in an open market not to trade except upon terms which they have fixed in advance"; and, "A State Legislature could not lawfully impose compulsory arbitration upon the motion picture industry. . . . Much less should it be within the power of a combination of practically all the distributors to do so by coercion exercised through control of the available supply of films."

Although Judge Thacher closes his decision with a suggestion to the producers and distributors to get together and to reform the contract so as to comply with the law, the producers and distributors are not, in the opinion of legal minds, relieved from their liability for having used the instrument of arbitration illegally. Section 7 of the Sherman Law provides as follows:

"Any person who shall be injured in his business or property by any other person or corporation by reason of anything forbidden or declared

to be unlawful by this act, may sue therefor in any circuit court of the United States in the district in which the defendant resides or is found, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the costs of the suit, including a reasonable attorney's fee."

The same penalty is prescribed in Section 4 of the Clayton Act.

This paper often in the past condemned the conduct of the Hays organization in its attitude towards the independent exhibitors in the questions of framing the contract and of adopting arbitration rules. It condemned the lack of sincerity on the part of Mr. Hays and of those surrounding him. He used political manipulation in order to have the contract drawn in accordance with his wishes. He would invite the exhibitor representatives, most of whom were selected by his lieutenant's manipulation, to New York, and would take them to the Union Club, a millionaire institution, there to dazzle them with its splendor, and, by impressing them deeply with his own greatness, make them do his bidding not by force but merely by mental suggestion. During the Trade Practice Conference, he even went so far as to telegraph to the exhibitor delegates to meet at the Roosevelt Hotel. Most of them went there. The result you already know: a lopsided contract and unfair arbitration rules, both of which have now been declared illegal. Such has been the method right along in treating with exhibitor problems; he employed, not sincerity, but political manipulation. And he is now reaping, as said last week, the whirlwind. And he will keep on reaping the whirlwind so long as he continues the same policy, a thing which he is doing even now. Instead of keeping his hand off exhibitor matters, he is again meddling with them. He is, for example, trying to promote the convention of the moribund M.P.T.O.A. His object is, not to help the independent exhibitors get anywhere—that is not in his thoughts; he merely wants to make it appear as if M.P.T.O.A. still has some strength and so to use it to combat the virile Allied States Association. He dreads the shadow of Abram F. Myers, its president, and will go to any length to weaken him and to arrest his growing popularity. But just as he finally failed in the questions of contract and arbitration rules, so will he fail in this; for Abram F. Myers is more than a match for him. If he persists in such a policy, we may some of these days see a congressional committee visiting New York and prying into the secrets of the motion picture industry, particularly of his organization

"Sweetie" (100% T-F & D)—with Nancy Carroll

(Param., Nov. 2; syn. 8,859 ft.; sil. not yet determ.)

It is a very good light entertainment, even though the plot is trivial, and at times too nonsensical. There are plentiful laughs, there is good music and some human interest. Most of the laughs are provoked by Jack Oakie; he was applauded by the audience of the Paramount Theatre when he appeared on the screen. Helen Kane, too, provokes some laughs; she has an air rifle and shoots at the backs of students when she wants to put some "speed" into them. William Austin provokes some laughs, too, as the pedantic professor. As usual, the centre of interest is a football game, which again is won by the hero at the last minute, after the object that made him downcast and therefore not fit to play is removed.

The story revolves around a young chorus girl, in love with a college student. They had agreed to marry at once. But when she calls on him he requests her to postpone the wedding so that he might keep in training for the big football game his college was to play against a rival college. Because he refuses to go through with the marriage, they have a "tiff." Several months later the heroine finds herself heir to a large estate, which included Pelham College, the very college the young hero was attending. She decides to take charge of the college and proceeds to make things "hot" for the young hero. In the end, however, there is a reconciliation between them.

The plot has been founded on a story by George Marion, Jr., and Lloyd Corrigan. Frank Tuttle directed the picture. Wallace McDonald, Charles Sellon, Aileen Manning, Stanley Smith and others are in the cast. The lines are intelligible. (Time, 83 minutes. Silent values, pretty good.)

"The Isle of Lost Ships" (100% T-D)

(First Nat.; syn. 7,572 ft.; Sept. 29; sil. 6,949, Nov. 24)

It is uncanny how quickly the picture-going public scents a good picture, even before it is released. On the opening morning, there was a line around the corner where the Strand is long before the box office had opened. It seems as if the picturegoers have underground channels of information.

"The Isle of Lost Ships" was put into pictures once before, and by the same concern. Maurice Tourneur directed that version. Those who were exhibitors at that time no doubt remember that the picture was excellent, and that it drew large crowds. The present version is even better, because of the fact that the actors now talk; and it will no doubt draw far bigger crowds. It is a fascinating drama, unfolding in the Sargasso Sea, a sea-weed world. Though it is not true in life that ships have accumulated in the center of this kelp world, yet it has been made realistic by intelligent plot construction and by good direction. There is much human interest, and the suspense is tense. The scenes that show the hero and the heroine falling into the hands of the villain, king of the sea-weed world, their wrecked ship having been drawn into that world by the currents, are tensely suspenseful. Those that show the villain attempting to force the heroine to marry him, and the subsequent ones that show the hero coming to her rescue; those that show the hero taking the heroine, and those of the villain's men as were friendly to him into the submarine and diving; the fouling of the hawser, holding the submarine captive; the hero's bravery in having the crew shoot him through the tube and of his cutting of the hawser, liberating the submarine, allowing it to come to the surface—all these hold the spectator in tense suspense.

The plot has been founded on the novel by Crittenden Marriot; it was directed by Irving Willat. Virginia Valli is the heroine; Jason Robards the hero, and Noah Beery the villain. Robert O'Connor, Clarissa Fielding and others are in the cast. The lines are clear. (Time, 80 minutes. Silent values excellent.)

"The Painted Angel" (100% T-D)—with Billie Dove

(First Nat., Dec. 1; syn. 6,470 ft.; sil. not set)

This is an unusual picture. It is different from the usual type of stories. For this reason it holds the interest well all the way through. There is also human appeal in much of the action. The scenes that show the hero, who had been serving the heroine faithfully, telling the heroine that he is not cold, but that he loved her, and that he acted as her manager not for the money there

was in it but for the love he felt for her, are deeply moving. There are other situations with so deep an appeal. The picture has been produced most lavishly; and although it deals with a cabaret entertainer it has been kept clean. Miss Dove is charming in her part; and she does excellent work. Edmund Lowe is a sympathetic figure as the hero, manager of the heroine's affairs. The characters that impersonate the heroine's relatives, acting as leeches, make the picture true to life.

The story is not so complicated. It deals with a beautiful girl (heroine), who, when she refuses the attentions of a wealthy rounder, is attacked by him. The hero, a violinist, intervenes. He is shot in the arm, however, and this paralyzes his arm so that he can no longer play the violin. He becomes the heroine's manager and saves her money. He also protects her from her grafting family. Although he is in love with her, he does not hesitate to advise her to marry the wealthy man so that she might give up the life of a cabaret entertainer. But in the end, the heroine finds out that she cannot go through with the marriage, because she loves the hero.

The plot has been founded on the Fannie Hurst story, "Give This Little Girl a Hand!" It was directed by Millard Webb artistically. George McFarlane, Cissy Fitzgerald, J. Farrell MacDonald, Norman Shelby, Nelly Bly Baker and others are in the cast. The sound reproduction is good, and the lines intelligible. There is pretty good singing, and some fine dancing chorus girls. (Time, 69 minutes. Silent values, good.)

"Frozen Justice" (100% T-F & D)

(Fox, Oct. 13; syn. 7,368 ft.; sil. not yet determ.)

A cheap melodramatic story for the production of which the Fox company has spent considerable money. The main object of the picture seems to be to thrill the spectator. This the Fox production forces hoped to accomplish, first, by the showing of the crushing of a ship by the arctic ice; and, secondly, by the death of the villain, when the ice, which had parted and had caused him to fall into the crevice, comes together. But there is nothing extraordinary about these scenes. The effect they create is not, at least, as impressive as the producers hoped, for the reason that the dramatic values of the story are negligible. The arctic scenes have been done fairly well.

The story deals with a heroine whose father was white and whose mother was an Eskimo. She is married to an Eskimo chief but longs for the land of her father. A ship, owned by the villain, comes to their region to trade merchandise for furs. The villain meets the heroine and paints beautiful pictures of the white civilization, arousing her desire to leave the frigid North. She visits him in his ship without the knowledge of her husband, who had forbidden her and the other women of his tribe to approach the whites. The villain fills the heroine with champagne and is about to assault her when the ice crushes the ship. The hero, who had been informed that his wife and other women were on board the ship, reaches the ship in time to draw the heroine out of it. He takes her to his igloo and whips her. She leaves him and joins the villain, who was about to leave on a dog sleigh. The villain shoots and wounds the hero. The heroine regrets it and decides to remain but the villain throws her into the sleigh and takes her to Nome. In Nome they open a dance hall and a gambling place and they prosper. But all the while the heroine hated the villain. Months later the hero comes to Nome in search of her. He arrives there just as the villain was forcibly taking her away. The hero drives his dog team hard and overtakes them just as the ice had parted and heroine and villain had fallen into the created crevice. The hero descends and drags the heroine out but the villain is crushed to death when the ice comes together again. The heroine follows her husband to her home.

The dance hall scenes in Nome are not very edifying. The conversation between El Brendel and a dance hall girl, which is carried on pretty fast, in particular, should make many even sophisticated persons blush if they should catch what is said. Lenore Ulric is the heroine; although she is popular in New York and some other big cities, it is doubtful whether she is of any value to small towns. Robert Frazer is the hero, and Ulrich Haupt the villain. Louis Wolheim, Laska Winter, Alice Lake, Gertrude Astor and others are in the cast. The Roxy talking picture instrument is so poor that the voices of the actors become sharp and shrill. One experiences great difficulty in understanding what is said. Alan Dwan has directed it.

"Her Private Affair" (100% T-F & DN)*(Pathe, Oct. 5; syn. 6,640 ft.; no silent version)*

Its production values are excellent but its entertainment values are only fair. The trouble with it is the fact that the story material is not sympathy arousing. No sympathy can be felt for a heroine that is being blackmailed for something she had done; much less for a murder she had committed, even though she was justified in committing it.

The story, which is supposed to unfold in Vienna, deals with the heroine, who becomes reconciled with her husband, a prominent jurist, and goes back to him. The villain blackmails her for some love letters she had written to him. This makes her unhappy. He commands her to go to his house at a certain time with a large sum of money, agreeing to return the letters to her. Reluctantly she goes. He hands her the letters but then locks the door and prevents her from leaving the room. The heroine pleads with him to let her go. When he refuses, she shoots and kills him with a revolver left on the desk by the villain's servant. The servant is accused of the crime. The heroine begs a lawyer friend of her's to defend him. He does so and the jury acquits him. On New Year's eve the servant, working as a waiter in a cafe, comes face to face with the heroine, who was out with friends. They recognize each other. The former servant tells the heroine that he cannot sleep at nights, hoping some day to clear his name completely by detecting the murderer. The heroine confesses to him that it was she who had killed him. The judge, who loved his wife, overhears the conversation and understands why she had been acting strangely. He advises her to stand a trial, sure that she will be acquitted. They become reconciled.

The plot has been founded on a story, "The Right to Kill," by Leo Urvantsov. It was later put into play form, by Herman Bernstein, and was produced at the Garrick Theatre, this city. Paul Stein has directed the picture. Ann Harding is the heroine. Harry Bannister, John Loder, Arthur Hoyt, William Orlamond, Lawford Davidson and others are in the cast. The sound reproduction is good. (Time, 70 min.)

"The Love Racket" (100% T-D)—with Dorothy Mackaill*(First Nat., Dec. 8; syn. 6,188 ft.; sil. not set)*

Your house will need fumigation after the showing of this picture. It is a strong sex play, such as the screen has not seen for a long time. The heroine is shown living together with the villain in a cabin up in a mountain without being married. The villain tires of her and deserts her. The heart-broken heroine, disillusioned, sends a bullet after him but he is not hit. He is shown going back to another "love" of his. Several months afterwards he is murdered by the girl. By coincidence the heroine and her fiance are placed on the jury by a judge, who is a friend of theirs. The heroine is shocked when she finds out that the murdered man is the man with whom she had lived together under another name. During the deliberations of the jury the heroine alone stood for acquittal. The efforts of the other jurors and of her fiance to make her change her mind are of no avail. The foreman decides to tell the court they could not agree. The heroine, fearing that another jury might convict the woman, makes a confession to the other jurors. After hearing her confession, the jurors are so touched that they all vote for acquittal. The hero is shocked at first but he, too, admires her for her bravery and embraces her. He asks the other jurors to forget the heroine's confession. They all give their word that they will do so.

No character awakens any sympathy. And the plot is so constructed that the spectator is never held in suspense. The story material was worn out years ago. Edmund Burns is the villain; Sydney Blackmer the fiance. Clarence Burton, Myrtle Stedman, Alice Day and others are in the cast. The words are intelligible. The story is by Bernard K. Burns. William Seiter directed it.

It is not for the family circle, least of all for children. (Time, 64 minutes. The silent values not better than the sound values.)

"The Soul of France"—(SD)—All Star*(Param., Aug. 24; syn. and silent 7,536 ft., 87 to 107 m.)*

Not a picture for average American entertainment. It is the French "Big Parade"; it portrays vividly the cruelties of the late war, particularly the fateful battles of the Marne and Verdun, the famous "trench of bayo-

nets" siege, and the equally famous fleet of Paris taxis-cabs, which brought reinforcements to the worn-out French troops. It preaches against war. But there is entirely too much war and very little story with just a thread of a romance interwoven. There are some deeply moving and pathetic situations, one being the scene where the hero's mother, having walked for days to reach her other son dying in the hospital, falls by the wayside with fatigue. A heart-rending scene is the one where the hero, disguised by bandages, is not able to recognize his mother, because he is a deserter, enlisted under an assumed name in the foreign legion.

Jacques Haik produced it. A. Dugas and A. Ryder directed it. G. LeFeure wrote the story.

"The Mississippi Gambler" (100% T-F & D)*(Univ., Nov. 3; syn. 5,384 ft.; sil. not yet determ.)*

A fair picture. The story deals with a Mississippi gambler, who fleeces the heroine's innocent father, a Southern gentleman, and when he is told by the heroine that the man he had fleeced was her father, and that she had caught him ready to commit suicide because most of the money he had lost had been entrusted to him by friends, the gambler makes a restitution. Instead of returning the money to the heroine, however, he agrees to play poker with her. She accepts the proposal. The hero tells the heroine that she had held a better hand and so she had won, even though he had a better hand. He then returns the money to her. A woman confederate of his, out of jealousy tells the heroine what he was and what he had done to her father. The heroine is shocked. There is a break between them. The hero attempts to explain but the heroine will not listen to him. He leaves the boat and decides to give up gambling for ever. Immediately after he lands he receives an envelope from the heroine. When he opens it he finds the heroine's locket in it. This he takes as an indication that she had forgiven him.

Leonard Fields and Karl Brown wrote the story; Reginald Barker directed it. Joseph Schildkraut is the hero, Joan Bennett the heroine, Carmelita Geraghty the woman, Otis Harlan the hero's confederate, and Alec B. Francis the heroine's father. The sound reproduction is fair. (Time, 58 minutes. Silent values, fair.)

"Wise Girls" (100% T-F & DN)—with J. C. and Elliott Nugent*(Metro-Goldwyn-Mayer; Sept. 2; 8,818 ft.)*

This makes a pretty good program picture because of its wholesomeness and of its many laughs provoked mostly by the dialogue, which was lifted bodily from the stage play. While there is not much action, it being confined to a few rooms, there are several good performances which make this domestic comedy of small-town life very entertaining. Its story should appeal to young and old alike.

The retired father of three daughters is supposed to be very rich. He is desirous of having his two unmarried daughters taken off his hands by wealthy marriages. The elder of the two unmarried sisters wrote a "terrible" story, which her lawyer-sweetheart published secretly to satisfy her ego. A young plumber comes to repair a pipe. He happens to mention to the authoress that he had read her book. She makes him marry her, although she does not love him, nor does he love her. When her sweetheart learns what had happened, he persuades the plumber to buy her father's house and to assert himself as the master of his house as well as of his wife. In the meantime the younger unmarried daughter had fallen in love with the plumber and he with her. After an evening of great excitement, the lawyer learns that the plumber and his wife were under age; also that his wife really loved him, and not the plumber.

J. C. Nugent is good as the cranky father. His son, Elliott, is good, too, as the plumber, who dreamed some day of becoming a famous architect. Norma Lee is good as the stage-struck authoress, who realizes in time that she would rather marry the man she loves than stick to the man she married in haste to spite him. Roland Young is pleasing as the elder lawyer-sweetheart. Others are Clara Blandick, as the mother, Marion Schilling as the young sister in love with the plumber, Leora Spellman as the married sister and James Donlan as her husband.

The stage play "Kempy," written by the Nugents, furnished the plot. E. Mason Hopper directed it. The sound recording is good. (Time by watch, 95 min.)

AGAIN ABOUT CHAS. W. PICQUET

The more I go over Picquet's criticisms of the franchise plan, as explained in the issue of October 19, the more I recognize the ingenuity that was put into those criticisms in an effort to knife the franchise.

"We want it thoroughly understood by our members," Picquet said in the opening paragraph, "that we are neither indorsing nor condemning the Franchise Plan but we are more than willing to cooperate in every way in an effort to arrive at a fair rental basis between Distributor and Exhibitor. We have thought best, however, to acquaint you with a few points you might over-look..."

Then the knifing begins: "You agree to play and pay for every picture released . . . It is solid block booking with a vengeance and the amusing part of it is that it is sponsored by Abram F. Myers who is reputed to be the author of the Brookhart Bill which would make it unlawful for any Distributor to sell pictures in blocks. . ."

Notice that the first letter in the words "Distributors" and "Exhibitors" are capitalized. In my eleven years of publishing this paper I have seldom seen exhibitors capitalize them; only those engaged in producing and distributing films do so.

Notice also that he attributes the authorship of the Brookhart Bill to Abram F. Myers. Mr. Myers may be the author of that bill but he has not yet admitted it; he has been accused of having been its author by the producer-distributor side. The language used by Picquet seems to be the exact language used by the lieutenants of Will H. Hays.

There can be no other than two theories as to the motive that inspired Charles W. Picquet in attacking the franchise plan: The one is, that he did so sincerely, in an effort to be of service to the members of his organization; the other is, that he was inspired to do it.

As to the first theory, an analysis of his conduct in Washington, on July 2, this year, and since that time, makes it fall to the ground. Although he knew that Mr. Myers and the other Allied leaders were in the same hotel in which the counterfeit conference took place on July 2, and in which he took part, he did not call on them to inquire as to their program,—as to how they intended to help the independent exhibitors, offering objections, as every American citizen has the right to offer, if their program would not meet with his wishes. Again, since the announcement that the Allied States organization signed the franchise agreement with Radio Pictures and Tiffany Productions, Mr. Picquet has not requested of Mr. Myers that changes be made in wording of the franchise so as better to protect the interests of the exhibitors.

For these reasons, we cannot accept the first theory.

Of course, he appointed a committee to cooperate with the distributors in an effort to arrive at a fair rental basis for both exhibitors and distributors. This act would tend to make him ap-

pear as if he were friendly toward the franchise. This reminds me of the act of Antony, who, in order to change the mind of the Romans towards Brutus, who had murdered Caesar, started his oration by enumerating the virtues of Brutus. But before he got through, he had turned the mob against Brutus. It is a literary trick to praise something first in order to condemn it more effectively afterwards.

As to the second theory, I leave it up to you to judge. An anonymous letter from a North Carolina town states that Picquet has acted that way because he was a friend of Pete Woodhull—that he chummed with Pete, and therefore he did what Pete wanted him to do. That is hardly an excuse. But let us for the moment justify him for having acted contrary to the interests of the independent exhibitors while Pete was President of M.P.T. O.A.; that excuse does not hold now, because Pete is no longer the president of that organization.

In my opinion, the intention of Charles W. Picquet, in making those criticisms was, not to help the exhibitors, but to knife the franchise. Whatever his reasons are, they do not seem to be for the good of the independent exhibitors.

FOX, THE EDUCATOR!

It was announced recently that William Fox has decided to enter the educational field. He intends to make moving pictures to be shown to children in the schools.

I wonder what will be the first subject that Fox will select for the education of the children. Perhaps it will be "The Cock-Eyed World"; "The lay of the land," "How's your fanny?" and other such expressions as well as certain pettings and pattings should prove greatly educational to children. Or he may take extracts from "Sunny Side Up"; the scenes of the chorus girls, dressed as Eskimoes, and appearing outside their igloos, and later shedding their clothing while the frozen place turns into a garden in a tropical climate, should prove an appropriate subject, for these girls do some wiggings and wobblings that will put to shame any huchi-kuchi dancer. These scenes should certainly prove greatly educational to the young. They are appropriate for classrooms.

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No. 45

AGAIN THE SUBJECT OF SOUND ON FILM AS AGAINST SOUND ON DISC

I have received the following letter from Mr. H. L. Summerer, General Manager of the Radio-Victor Corporation of America, a subsidiary of the Radio Corporation:

"While there is probably no necessity for any confirmation of our pleasant and interesting discussion in your office on Thursday afternoon, I thought you might like to have some record of the statements I made concerning your writings on disc recording and reproduction and re-recording.

"I know it is your desire to correctly present the facts in any matter, and for that reason I have not hesitated to advise you that you were incorrectly stating them some two months ago and again recently, nor shall I hesitate to talk frankly with you on any future occasion and to offer you direct information that will enable you to maintain the fair position you desire to at all times assume.

"We did not engage in any discussion with respect to the relative merits of recording by any producer or any system, but I did say that any recording properly done could be transferred from disc to disc, film to film, film to disc, or disc to film, and that quite often in the re-recording operation it is possible to improve the original result.

"The statement that Vitaphone records originally on film and transfers to disc is entirely erroneous to my positive knowledge from our own personnel, whom you know operate a department in conjunction with the Vitaphone operations.

"The nature of motion picture production requires that some sequences made separately be later placed in continuity and the recording treated likewise; but, as I informed you, this does not in the least manner detract from the quality but frequently provides an opportunity for improvement. This procedure with respect to disc recording is paralleled in most film recording, as sequences made separately are joined in continuity and then re-recorded on film to level of amplitude.

"It is unfortunate that transferred recording has come to be known as 'duping', as it does not in any sense correspond to 'duping' photography, and while a 'duped' negative may be an atrocious thing a record can be transferred to another record nine times over if desired without detectable change in quality beyond some slight increase in surface noise. The manufacture of duplicate records also provides that each single disc is an absolute replica of the original recording, while the fiftieth print from a negative may be somewhat off from the first print.

"Concerning reproduction from a disc, it is erroneous to say that it is of no value after twenty playings. Our own wear tests, which are scientific, are based on a minimum wear test of twenty-five playings, and we know that they will play entirely satisfactorily at least forty times. Repeated playing does not change the recorded grooves materially, but does of course increase the surface noise slightly after a large number of playings.

"The fact that a record is re-issued does not detract from its quality—for, as you can readily see, a given record may be used in three two-day runs and actually get less wear than if issued once to a week-run house.

"What is really more important is that the exhibitor use the records with reasonable care, use specially selected needles and change with each playing, and see that his reproducing apparatus is properly balanced and tested.

"It would be well if you would endeavor to educate the exhibitor along these lines.

"This makes rather a long story, but it is a subject of intense interest to us and I am sure you will be interested

in this resumé of our conversation.

"I want to thank you for your frank discussion of the subject and your expressed willingness to endeavor to avoid statements detrimental to the disc method of recording and reproduction or to their chief exponent among producers, Warner Brothers. Anyone giving you erroneous information becomes a doubtful source for any information and, as I include myself in this statement, I am willing to prove to your satisfaction any statement I have or may at any time make.

"In conclusion may I repeat my invitation to come to Camden at your convenience, at which time you may see the whole works.

"With kind regards, I remain

"Very truly yours,

"H. L. SUMMERER."

* * *

Before entering into the discussion of the statements made in this letter, let me say that I have found Mr. Summerer a perfect gentleman—sincere and outspoken, and one with whom a person could discuss a subject with intelligence. I am convinced that Mr. Summerer would not knowingly attempt to influence me in a subject that he and I may disagree, unless he were convinced that he was right, and that by attempting to convince me to his views he was serving the interests of the industry.

One of the things that Mr. Summerer called my attention to is a recent statement in HARRISON'S REPORTS to the effect that Warner Bros. are recording first on film and then transfer the sound to the disc. Mr. Summerer says that Warner Bros. record directly on disc. I am glad to make this correction. Accuracy of statement in HARRISON'S REPORTS is a religion with me, and I am willing to correct any unintentional misstatements that I may make occasionally, whenever these are called to my attention.

My statement that Warner Bros. record first on film, however, was not the important point but whether the tone quality of sound reproduced from a disc record was as good as the tone quality of sound reproduced from film. Mr. Summerer says it is; I say it is not. Mr. Summerer is willing to prove his assertion to me at the laboratory of the company, at Camden, New Jersey; I say that laboratory tests are no criterion, and that I can prove to him equally well that disc recording is not, under practical conditions, as good as film recording. In fact I can prove this to any person that has even a fair amount of intelligence. Let me bring forward some of my proof:

The "Jazz Heaven," a Radio picture, opened its engagement at the Globe, this city, Tuesday, last week. On Friday, last week, "Is Everybody Happy?" the Warner Bros. picture, with Ted Lewis, opened at the Strand Theatre. So I had a chance to make a comparison of the sound. The recording of "Jazz Heaven" is on film, by the Photophone process; the recording of the "Is Everybody Happy?" is on disc, as are all the Warner Bros. pictures. There is as much difference between the two recordings as there is between day and night. The voices of the actors in the Radio picture are, even though the picture itself is nothing to brag about, as true to life as is possible to produce; the voices in the Warner picture lack crispness, although the words are pretty intelligible. The music in the former is almost natural—one would not, in fact, be able to tell it from natural if one were unaware of the fact that it was a reproduction from film. On the other hand, the music in the latter was hardly music; the low notes were absent. While the orchestra was playing in one of the scenes, I could see the hand of the bass violinist move back and forth but I could not hear the sound at all.

Last Sunday I went to Loew's New York Theatre to
(Continued on last page)

"Condemned" (100% T-F)—with Ronald Colman

(*United Artists, Dec. 7; syn., approx. 8,460 ft.*)

If this picture will draw any crowds, it will be because of Ronald Colman's fame, and not because of the worth of the picture. It is not really bad, but it is not of the pleasurable sort. Mr. Colman is presented as a convict in Devil's Island, sent there after conviction as a thief. He is shown as having been assigned by the warden as a servant to the heroine, his wife. Both fall in love with each other and when the warden overhears people gossiping, he becomes so jealous that he makes his wife feel miserable. He also puts the hero in solitary confinement. By aid of the heroine, he escapes. The understanding between them is that they meet at a certain port. The warden finds evidence that gave him the proof that his wife had helped the hero to escape, and, having reasoned out that they were to meet somewhere, boards the boat and watches her, unknown to her. True to his guess, the warden sees the hero meet the boat, and has him arrested. The hero's pal, another convict, who had escaped with the hero, grabs the warden by the throat and jumps overboard. He chokes and drowns him but he himself is shot and killed by a soldier. The hero is resigned to his fate and allows himself to be taken back to Devil's Island, the heroine promising to wait for him.

Sidney Howard wrote the story, Wesley Ruggles directed it. Ann Harding is the heroine, Dudley Digges the warden, and Louis Wolheim the hero's pal. The lines are fairly understandable, although the quality of the sound is fair to poor. (Time, 94 minutes. Silent values fair.)

"Is Everybody Happy?" (100% T-D)

(*Warner Bros., Oct. 19; syn. 7,371 ft.*)

Not more than a program picture. And it is doubtful whether it will mean much to the box office. It did not mean very much to the box office of the Strand Theatre, where it played last week. It is not a bad picture, but there is nothing extraordinary about it. The main idea is a father's anger at seeing his son playing jazz music, when he and his ancestors were musicians of classical music. The average person will not understand why the father should be so unforgiving, because his son, being unable to make a living with classical music, took to jazz. Therefore, the dramatic value of it will fall flat. Mr. Lewis, leader of jazz orchestras, is shown leading an orchestra and playing on the violin as well as on the clarinet. The scenes on Christmas eve, which show the family re-united, are fairly pathetic.

Joseph Jackson and James A. Starr wrote the story; it was directed by Archie L. Mayo. Alice Day, Ann Pennington, Lawrence Grant, Julia Swayne Gordon, Otto Hoffman and Purnell B. Pratt are in the cast. The words are understandable but the quality of the sound is fair, poor in spots.

The silent values are poor. (Time, of the synchronized version, 80 minutes.)

"Broadway Scandals" (100% T-F&D)

(*Columbia, Nov. 4; syn. 7,089 ft.; sil. not fixed*)

It is not a picture that you should be ashamed to show; but neither is it the kind that you could brag about. Although it is of a higher than program magnitude, it is not a genuine \$2 picture.

It is the usual backstage story, in which a boy and a girl are partners in a vaudeville team, successful in small towns. Both aspire for big time. The boy has his chance, but because he would not throw the girl down he refuses to sign up. The girl, however, in order that he might not miss his chance, pretends that she does not care to remain his partner because she, as she told the boy, believed that she could never get anywhere with him. Thus the boy is induced to sign up. In the end, however, he throws down the vampire and sticks to the heroine.

There is a touch of sympathy here and there but not enough to make any one remember the scenes after leaving the theatre. There is some music, too; but none of it is outstanding. The production end is good, direction and acting of the Columbia standard.

The story is by Howard Green. George Archainbaud has directed it. Jack Egan does well in the part of the hero. The song he sings makes the most hit, because he has a pleasing voice. Sally O'Neill does the best work in her screen career. Carmel Myers is the vampire. Tom O'Brien, J. Barney Sherry, Charles Wilson, Doris Dawson, Gordon Elliott and others are in the cast. Although the lines are clear, the tone quality is only fair. At times it sounds like a radio with the batteries run down. The discs that will be made out of the film should give poorer tone quality yet. The title attracts attention and may help it to draw.

Silent values fair. (Time of synchronized version, 78 minutes.)

"Jazz Heaven" (100% T-F&D)

(*Rad. Pict., Oct. 20; syn. 6,200 ft.; sil. not yet set*)

Although it is of a higher grade than program, it is not a big picture and does not deserve advanced prices of admission. The trouble with it is the fact that the story material is not greatly interesting, although it has been handled well and the recording is great. There is some human interest, but not much; and the spectator is not held in much suspense. There is some comedy here and there. Most of the comedy is contributed by Joe Cawthorn, famous stage actor, who appeared in "The Street Girl"; with Albert Conti, the other part of the partnership, he does excellent work. Although his native language is English, he speaks it broken in a way that only foreigners could speak it. His stuttering is comedy provoking. Clyde Cook, too, contributes some comedy. So does Henry Armetta as the iceman. There is fairly good music. But the main story is padded considerably, with the result that one tires before the picture is over. Most of the padding occurs in the first half; the second half is speedier, and the action is much more interesting.

The story is that of two young folk, who meet accidentally and fall in love with each other. The boy is a struggling composer. The heroine helps him finish a song of his by singing it while he played on the piano. By aid of the heroine, he is able to sell his song at a good price.

Pauline Forney and Dudley Murphy wrote the story; Melville Brown directed it. John Mack Brown is the hero, and Sally O'Neill the heroine. Blacne Frederici, Ole M. Ness, and J. Barney Sherry are in the cast. (Time, 69 minutes. Silent values fair.)

"Acquitted" (100% T-F&D)—with Lloyd Hughes and Margaret Illington

(Colum., Nov. 10; syn. approx. 5,400 feet)

In some theatres this picture ought to take well. It is a strong melodrama, revolving around a crook master mind, and around the efforts of the heroine, confederate of the crook leader, to prove innocent the hero, a doctor, and so to get him out of prison, where he had been sent, framed by the crook. The suspense is tense. But the picture is gruesome to a certain extent, leaving one in a somewhat unhappy frame of mind. In addition to this, the story teaches a bad moral, in that it glorifies a crook and murderer. Sam Hardy takes the part of the crook well. He is shown being able to know of the movements of people he wanted to know about, by the "grape vine" method, as he calls it. Not a movement do the characters undertake unless it is known to him. The spectator is held in pretty tense suspense throughout:—

The heroine is framed by the villain, whose tool she is, and sent to jail. In jail her life is saved by a doctor, who offered his blood for transfusion. She is shocked when she finds out that he, too, is a convict. He tells her that he had been framed by the villain. She is paroled, and is determined to get the goods on the villain so that she might prove the hero's innocence. But from other prisoners the villain becomes apprised of her intentions. When he tells her about it, she admits it, but assures him that she loves the doctor. Because of his love for her, he helps the doctor to get his freedom, by making one of his confederates admit guilt of the murder. But afterwards he tries to force the heroine to marry him, and because she refuses he has the doctor abducted. Knowing that his life was in danger the heroine threatens to shoot the villain. She finally shoots him and wounds him dangerously. He is compelled to reveal his hiding place so that she might have him come over and dress his wound. In the end, the villain is filled with admiration for the heroine's courage and for the character of the doctor, who did not violate the ethics of his profession by refusing to treat his wound. The villain confesses to the murder and is arrested by a detective, who was in the next room and overheard his confession.

The story is by Keene Thompson; it was directed by Frank Strayer. Charles West, George Rigas, Charles Wilson, Otto Hoffman and others are in the cast. The lines were clear and the tone quality good. (Time, 60 minutes. Silent values nearly as good as sound values.)

"Love, Live and Laugh" (100% T-F&DN)

(Fox, syn. Nov. 3; 83 min.; no silent version)

The story material is so sentimental that it could have made a picture with a wide popular appeal, were it not for the fact that George Jessel is too cold for the part of the hero. In situations where he is required to show deep emotion, he is like an icicle. But even with this shortcoming, the picture is able to move the spectator. The scenes where the hero recovers his eyesight and finds the girl he loved married to another is too touching to be killed by an unemotional actor.

The story deals with an Italian boy, living in America, and in love with the heroine, going to Italy to his dying father. While there, the war

breaks out and he enlists. During a charge he is shot and blinded. After the war he returns to America, led by his pal. He is unable, however, to find the girl he loved (heroine). Having learned that the hero had been killed in action, she married a doctor who loved her. The hero was taken to the park daily, where he played on a concertina to the amusement of children. A little girl takes a liking to him and visits him every day. The hero's pal goes to a famous eye specialist and begs him to perform an operation on the hero to restore his eyesight. The doctor does so and soon the hero is able to see. The specialist informs him that he owes much to a certain other doctor, because of his skill and devotion, and the hero, after obtaining his address, calls on him to thank him. There he finds the heroine, who informs him that the doctor is her husband, and that the child that visited him in the park was her daughter. She assures him that she did not marry the doctor until after she was convinced that the report of his death in action was true. The hero admonishes her to say nothing to the doctor. He then goes away, out of her life, sad but determined to bear his ordeal bravely.

The plot has been founded on the story, "The Hurdy-Gurdy Man," by LeRoy Clemens and John B. Hymer. It was directed by William K. Howard with skill. Lila Lee makes a good heroine. Some of the others in the cast are, David Rollins, Henry Kolker, Kenneth McKenna and Henry Armetta. The words are fairly intelligible, but the tone quality, because of the poor instrument of the Roxy, is as poor as ever.

The silent values are good, but Fox will not make a silent version.

"Lucky in Love" (100% T-F&DN)

(Pathe, Aug. 17; syn. 6,870 ft.; 76 min., no sil.)

Pathe tried to hide this "talent" under the bushel. It is one of the most entertaining pictures that Pathe has released for sometime. It is the kind that sends one home in a happy frame of mind. No Irishman will take any exception to whatever is shown; for there are no pigs in it, and the Irish are not shown as quarrelsome. On the contrary, an Irish boy is shown leaving Ireland and coming to America, making a success by his intelligence and hard work. It is also shown that a noble girl loved him, that he loved her, and that eventually they married. Morton Downey appears in this romance to better advantage than he did in "Mother's Boy." He is in better shape to sing, and his songs are cheerful.

The story was written by Gene Markey. Kenneth Webb directed it. Betty Lawford makes a charming heroine. The sound reproduction is excellent, the words being perfectly intelligible.

If you have not yet shown it, make it a point to show it.

The silent values are very good, but Pathe will not make a silent version. (76 minutes.)

"The Trespasser," with Gloria Swanson, released by United Artists, is a revelation of the acting and singing ability of Gloria Swanson. The picture is an excellent drama. "The Long, Long Trail," with Hoot Gibson, Universal, is a good Western. "Venus," with Constance Talmadge, is poor. Reviews next week.

review "Acquitted." I went there twenty minutes before the picture started and I happened to see George Lyons playing several numbers on a harp. From the way he was playing it was evident that he is a master harpist. But one could not so judge from the music, because half of it was missing; one could see him striking the cords in the low register but could not hear the sound.

The music in "Noah's Ark"—oh! it is a crime to call it music.

The tone quality in "Evidence" was so poor that the words were hardly understandable when I reviewed it at the Strand.

You know, I am pretty sure, that the reproduction of the sound of a steamboat whistle is a hard thing. It cannot be reproduced on the disc. But it can be on the film. In "Lucky in Love," the Pathe picture, with Morton Downey, which I am reviewing in this issue, there is a reproduction of the sound of a steamboat whistle; it is so natural that one would not believe it has been reproduced from film if one were unaware of it.

I have yet to hear real pistol shots reproduced from the disc; they sound like wind puffs. On the other hand, shots reproduced from a variable width (Photophone) sound track are eighty per cent. natural. Bear in mind that a shot or any sudden explosion is very difficult to reproduce, even on film (it could be reproduced natural if the speed were greater than ninety feet per minute).

I could go on giving instance after instance to prove to any one that disc recording is not as good as film recording. And when I say "film recording," I mean recording by the variable width (Photophone) system; recording by the variable density (Movietone) system is very little better than recording on disc.

I could not question the veracity of Mr. Summerer's statement that laboratory tests have proved that the disc can stand much wear before it can show deterioration. But this is not true of conditions in theatres. After all discs have to be used in theatres and not in laboratories.

In dealing with disc reproduction, we are dealing with friction. I have learned since my childhood that when you rub two things together you create friction at the point of contact. Our shoes wear because of the friction between the bottom of the shoe and the ground. The greater the pressure the greater the friction. The weight of the pickup is one-half pound, and the pressure at the point of the needle, which is one-fiftieth inch, is, as said in these columns before, twelve and one-half tons per square inch. A pressure so tremendous cannot help but wear out the projections in the groove.

There is no question that sound can be transferred, and it has been transferred, from disc to disc, from film to film, from disc to film, from film to disc, and even be retransferred. Mr. Summerer is correct in stating also that often re-recording on disc improves the original recording. But recording on disc can never be as satisfactory as recording on film for the following reasons:

On the low register:

The bass notes of orchestra instruments are cut off. As a result, mellow and full orchestra effects cannot be reproduced.

Shots, explosions, and booms cannot be reproduced.

On the high register:

Whistles.

Delicate inflexions of woman's voice.

The high notes of violins and piccolos.

Steam escaping, wind in trees, bells—all these cannot be reproduced.

Other defects:

Needle jumping.

Non-automatic synchronization.

Chances of error in shipment.

Extra projectionists in unionized houses, with much higher salaries than "silent" projectionists.

Necessity for double shipments, a fact which makes the cost of operation higher. The extra cost in express charges is an item that the small exhibitor must consider seriously.

There is no question that the Victor, now Radio-victor, Company turns out high grade work. It has had years of experience in recording. I understand it has an excellent research laboratory. But the limitations of the disc cannot be overcome by even such a company as Radio-victor. The business needs not merely "good" tone quality, but the best tone quality that it is possible to obtain. And such a quality can be obtained only by recording on film, by the variable width method.

MAYOR WALKER'S WORDS OF WISDOM

Mayor James J. Walker, at a dinner given him at the Hotel Astor on October 29 by the motion picture industry, said the following:

"This is where the motion picture exhibitors can serve. Show pictures that will reinstate courage and hope in the hearts of the people. Give them a chance to forget their financial losses on the stock market and look with hope to the future.

"Industry and basic financial organizations are sound. It is only the abnormal inflation of the market that has sagged. There is no panic and no likelihood of there being one. Just the same, the morale of the people must be maintained, and you can do it."

* * *

Wise words, indeed; and they should be heeded by you, no matter whether you are a little or a big exhibitor. Show pictures that will make people happy, instead of gloomy. The showing of the decline of stock in newsweeklies, either by diagram or otherwise; in fact, the showing of anything that would remind the millions of unfortunate investors, most of whom lost every dollar they had, of their losses should be avoided. This is the time for comedy entertainment.

The country went through one of the worst crises it has ever experienced. And it withstood it because it was never in a better position to withstand it. The vaults of the banks are full of gold. Exports are the highest ever. Progress in every line, whether it is science, or manufacturing, has kept a fast pace. What has happened in Wall Street could not help happening. The gambling spirit had seized almost nine persons out of every ten. Waiters, taxicab drivers, chambermaids, old men and women—all were seized with the speculative spirit, along with the well-to-do classes. They would invest in stock not for their real value but with the hope that it would go up and make it possible for them to retire. Funds were withdrawn from every legitimate business and were invested in Wall Street. Middle class business men abandoned their businesses to their employees, often dishonest employees, to spend their time in the ticker office. Things reached such a point that legitimate business could not obtain funds for expansion; banks would laugh at an offer of five or six percent. interest when they could get fifteen or twenty percent. for call money.

Wealth is work. When the millions that devoted their time to Wall Street gambling ceased to work, they ceased to create wealth. Even those that did not cease to work did not produce as much as they were producing before, for when a person's mind is in Wall Street his efficiency decreases. And when production ceases wealth decreases. The paper values that made the investors live in a fools' paradise for a while crumbled with the first storm.

But the catastrophe that has befallen the country will not be bereft of good. It will bring people back to their senses and send millions back to work, to create wealth. So recovery is bound to be quick. Money at low rates is already available to business. And you can help hasten the recovery by heeding Mayor Walker's advice. Show happy, not gloomy, pictures. Help the people forget their misfortune.

LET THEM MAKE THEIR OWN CHOICE

Warner Bros. put an ad in the trade papers assuring the exhibitors that they will stick to the disc system, and I have been asked by some exhibitors whether it is wise for them to install an instrument that will take sound only on the disc.

In making up their minds in this matter, they must choose between the fairly good disc re-recording of Warner Bros. and First National pictures, and the excellent original film recording of most of the other producers. Remember that, with the exception of Warner Bros. and First National, all the producers record on film. They make the discs afterwards, by re-recording. And disc re-recording, whether it is done by Warner Bros. or by any of the other producers, is not, as experience has proved, as good as film recording, particularly when the film recording is done by the Photophone process. It is hardly necessary for me to remind you of the number of exhibitors that had to shut down because of the poor disc sound.

This paper believes that the disc is destined to die out, regardless of what Warner Bros. may do or say. No one can arrest progress. Remember that all disc recording is recorded, or "duped," as is commonly called.

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THE FATE OF THE DOLORES COSTELLO PRODUCTIONS

Warner Bros. Pictures has just announced that its contract with Miss Dolores Costello has been cancelled by consent of both parties, and that "Fame," which was to have Miss Costello as the star, will be made with some other star.

In addition to "Fame," two other pictures were, to the best of my knowledge, announced with Dolores Costello in the leading role: "Hearts in Exile," and "Second Choice."

It is definitely known that "Hearts in Exile" has already been produced.

Production of "Second Choice" was started in August. So this picture, too, must have been produced.

If you have contracted for the Dolores Costello pictures, you will be obligated to accept "Hearts in Exile" and "Second Choice," if this latter picture should be delivered with Miss Costello in the leading part. But you are not obligated to accept "Fame," unless your consent to the substitution of the star is first obtained. In fact, you may refuse to accept any Dolores Costello picture if it should be delivered without Miss Costello in it.

MAKE AN IMMEDIATE RETRENCHMENT!

Business is just beginning to feel the effect of the stock market crash. Last Saturday night a pedestrian had no difficulty in going up and down Broadway. In the pre-crash days, it required at least fifteen minutes to walk from Fortieth to Forty-eighth Street. It seemed as if Broadway was deserted.

There is not a business in New York City but has lost at least fifty per cent of its volume. In the old days it was difficult for one to find a table in a restaurant of the better kind either at luncheon time or in the evening. One experiences no difficulty in finding many now. The printing trade, which has always been the barometer of business conditions, is suffering greatly. The better clothing stores are suffering likewise. But the worst hit are the luxury trades. Expensive fur coats can be bought at one-half or less. Automobile sales have disappeared.

Our own line has not been left behind. The Broadway de luxe picture houses were almost deserted on Friday and Saturday, the opening days of the runs. In the old days lines were formed as early as noon whenever the pictures were any good.

And this is only a sample of what conditions may be in the future. The full effect of the crash may not be felt until six months from now, when those who are losing their jobs will have spent the money that they had laid aside for a rainy day.

I am picturing these conditions in their true colors for the purpose not of discouraging you but of making you realize the gravity of the situation so that you might take the necessary steps to avoid suffering.

The first thing you must do is to cut down your film bill; the prices you have agreed to pay, having made contracts at a time when the country looked the most prosperous in its existence, are bound to crush you. Do not wait for a conference between Lightman and Sidney Kent: their conference may not be held until after your business is beyond saving. Mr. Kent may mean well but it is difficult for

him to tell other companies how to conduct their business. He may be able to give you reductions whenever it concerns contracts made by his company, but when it comes to giving reductions on contracts made by other companies, the matter differs; we have an example of the valiant but unsuccessful fight he made for the elimination of the score charges; Warner Bros. turned him down flat. And if they turned him down in the matter of score charges, what chance is there that they will uphold him in reductions?

Apply for a reduction of your film bill yourself, and now. You are sure to find sympathy with some of them, because many of them have been hit by the stock market crash themselves and realize what you are up against.

If you have not yet bought film, you should be careful what prices you should pay. Remember that what you were able to pay three weeks ago may crush you if you were to pay it now.

The country is going through the worst crisis in its history and you should take appropriate measures to avoid a catastrophe.

Of course it is strong and wealthy, and its recovery will be swift, but there is no harm in your realizing the gravity of the situation and in making a wise retrenchment.

IF FILM COMPANIES WERE TO CON- FINE THEIR PRODUCT TO THEIR OWN HOUSES!

"The tremendous rate at which theatre expansion is progressing on the part of both Publix and Fox Theatres," writes Motion Picture News, "is leading into a situation where another year or eighteen months will find both those organizations in need of product of their producing organization affiliations exclusively. That condition is predicted by several theatre experts who have surveyed the situation within the last few months. . . ."

Nothing would put the independent exhibitor on his feet quicker than a decision on the part of each theatre-owning producing-distributing company to confine itself to the showing of its own product to the exclusion of the product of other producer-distributors, because the independent exhibitor, man for man, is superior to the managers employed by the circuits, and the battle for the business would in almost every case be won by the independent exhibitor if he could only get product. What makes it possible for the circuits to defeat the independent exhibitors is their ability to get product; the independent gets what is left, and often there are no pictures left for him to get.

Imagine a situation where the independent would have an equal break with the circuit in the obtaining of product!

But all these statements on the part of the theatre owning producer-distributors are given out merely for publicity purposes; they do not intend to give up showing the product of their competitors, which they obtain by trading. One gets from the other so that the other might get his product.

The Brookhart Bill, if enacted into a law, will do much to give the independent theatre owner an even break. There should be no independent exhibitor but should work for it.

"Romance of the Rio Grande" (100% T-F&D)—with Warner Baxter

(Fox, Nov. 17; syn. 8,652 ft.; sil. not yet determ.)

It seems as if Fox, in "Romance of the Rio Grande," is going to have another success like "In Old Arizona." Its action holds the spectator's sympathetic interest. The story unfolds in Mexico, near the American border, and presents the hero as half Mexican and half American, his mother having been a Mexican. He is endowed with the character of a true Spanish gentleman, who would not accept the hospitality of his grandfather after learning that he had been nursed under the roof of his grandfather, having been taken there by the heroine, who had found him in the desert wounded seriously. The charming Spanish atmosphere is maintained throughout. The love affair between the hero and the heroine, impersonated by Mona Maris, who does good work, is likewise charming:—

Mexican bandits raid a railroad, in which the hero was a foreman. The hero takes the payroll and rides away from the bandits. But he is shot by them and wounded dangerously. The heroine finds him unconscious and takes him to the ranch Manta Margarita. The owner of the ranch, an elderly Spanish gentleman, searches the bag on the horse and discovers evidence proving to him that the hero is his grandson, from his daughter, who had run away and married an American. The hero is nursed back to health. When he learns that he is in his grandfather's ranch, he wants to go away immediately. His grandfather, however, pleads with him to stay. He does so. His cousin plots against his life but fails. The grandfather dies and the hero inherits the ranch. He orders that everything go on as before. He is about to marry a girl of his grandfather's choice but the cousin steals into the ranch secretly and stabs the woman fatally, because she had promised to marry him. The hero learns that the heroine loved him, and as he realizes that he, too, loved her, they marry.

The plot has been founded on the novel "Conquistador," by Katherine Fullerton Gerould. Mary Duncan, Antonio Moreno, Robert Edeson, and others are in the supporting cast. The recording was done well so one is able to understand what the actors say. The music is enchanting; and so is a love song that is sung by Miss Maris. (Time 93 min. Silent values good.)

"The Love Doctor" (100% T-F&D) with Richard Dix

(Paramount, Oct. 5; syn. 5,500 ft.)

The acting of Richard Dix is the only redeeming feature in this picture. The story is trivial, and hardly worth while. It deals with a young doctor who sets out to cure a love struck patient of his, and becomes a victim of love himself. There is a touch of comedy here and there but not enough to hurt anybody's sides.

The plot has been founded on the play "Boomerang," by Winchell Smith and Victor Mapes. Melville Brown directed it. June Collyer, Morgan Farley, Miriam Seegar, Winifred Harris, Lawford Davidson, Gale Henry and others are in the cast. The lines are intelligible. (Time, 58 minutes. Silent values, poor.)

"The Trespasser" (100% T-F) with Gloria Swanson

(United Artists, Oct. 5; syn. 8,223 ft.)

"The Trespasser," aside from being a fine talking picture, furnishes the means by which it is revealed that Gloria Swanson is an excellent actress. In dramatic moments, she can rise to great heights. When it is required of her to sing, she has no difficulty in doing so, for she possesses a good voice, although the quality of the sound did not do justice to her, for it seemed hoarse and lacking in smoothness. There is deep pathos all the way through the picture. This is accentuated because of the fact that the heroine is shown as possessing an admirable character. When, for example, the hero, confronted by his wealthy father, refuses to take a manly stand to send away his father, who was seeking to have the marriage annulled, she leaves him and obtains a position, so that she might make her living independently of him. When later she has a child and yet she refuses to seek the aid of the hero, one's admiration for her increases. There are many situations with deep human appeal.

The story deals with a stenographer, who marries the son of a wealthy father. But she marries him for love and not for his money. The father thinks the heroine an adventurer and calls on his son to induce him to give

her up. Because the hero is inflexible, the father resorts to a ruse; he makes him believe that, if he would divorce her and give him a chance to build her up, he could remarry her later and bring her into the family as some society lady. When the hero submits his father's suggestion to the heroine, she is indignant. In order to prove to his father that she did not marry him for money, the heroine leaves him and, going to a place where she is not known, obtains a position. Soon she has a child, but she, although in need of money and although her health is none too good, keeps on working until she is compelled to seek her husband's aid. When she reaches her husband's business place, she learns that he had been injured in an accident. She goes back to her former employer, and is given back her old position. Her former employer, a married man, offers to set up an apartment for her and to care for her and for her son.

Finding it difficult to get along in life with a child, she accepts his proposal. Her paramour is gentle to her and provides her with everything she needs. He dies, and when newspaper reporters are about to expose her relations with him, she, in order to protect her child's name, sends for the hero, who is now married to another woman, with a view to seeking his aid to stop the newspaper from printing a story about her. The hero for the first time learns that he is the father of a child, and, through his influence, is able to suppress the stories. The hero vows that they will not be separated again. He goes to his father and informs him of the fact that he had found his ex-wife and that he is a father, expressing his determination to divorce his wife and to marry the heroine. The father calls on the heroine and attempts to take the child away from her. In desperation, the heroine tells him that his son is not the father of her child. The hero's wife, who is a cripple, calls on the heroine, and realizing that her husband still loved her (the heroine) offers to divorce him so that, by remarrying her, the child might have the home he deserved. The heroine, moved by the spirit of self-sacrifice of the hero's wife, resolves to make a greater sacrifice herself. She informs the hero's wife that she will give up the hero, and asks her to take the child with her and to care for him. The heroine then disappears. She becomes a telephone operator. Through a telephone call by the hero, she learns that the hero's wife had died. She makes her presence known to the hero, who rushes to her with his child, happy that he again found her.

The plot has been founded on a story by Edmund Goulding, who also directed it. Robert Ames is the hero, William Holden, the father, and Wallie Albright, the child. Henry B. Walthall, Purnell Pratt, Blanche Frederici and others are in the cast. The sound reproduction is poor as a result of bad recording. The film version was shown. If the sound will be recorded on disc, it will, no doubt, be poorer yet. (Time, 91 minutes. Silent values, excellent.)

"The Long, Long Trail" (100% T-F&D) with Hoot Gibson

(Univ., Oct. 27; syn. 5,374 ft.; sil. not yet determ.)

This is the first talking picture Gibson has made. It is a good Western but hardly suitable for a Broadway run. There is a great deal of human interest in it and the action is fact. There is a horse race, which is pretty thrilling:—

The hero is called the Rambling Kid, because of his excessive ramblings. He meets the heroine, who came to her uncle, owner of a ranch, from the East. The heroine's uncle bets his ranch and other money on his horse, the bet being accepted by the villain, who had thought that his own horse was going to win. After the bet, however, the villain learns that a horse, which was owned by the heroine's uncle, and which was to be ridden by the hero, had outdistanced his own horse in the tests. Thereupon he schemes to prevent the hero from entering the race. He puts a drug into his coffee. The race is about to start but the hero does not appear. The heroine and her uncle go to the stables and find the hero dazed. They think he is intoxicated. The hero manages to mount the horse and to take part in the races, which, after much effort, he wins. He eventually learns that the villain had drugged him and gives him a good beating, and, incidentally prevents him from taking the bet money and running away.

E. W. Bowman wrote the story; Arthur Rosson directed it. Sally Eilers is the heroine, and James Mason the villain. Mr. Gibson has a pretty good voice. The lines are intelligible. (Time, 59 minutes. Silent values good.)

"Footlights and Fools" (100% T-D with Colleen Moore)

(First Nat., syn. 6,952 ft.; Nov. 10; sil. not determ.)

Picture-goers should enjoy this picture well; Miss Moore does good acting in it and the story material is pretty interesting. There is some pathos, and plentiful comedy, provoked by Miss Moore's acting. She poses as a French dancer, imported from Paris, even though she had been born in Watertown, New York. Her occasional French "explosions," her English spoken a la French, should bring laughter. There are some beautiful color scenes, but the faces of the players are most of the times blurred.

The story shows the heroine in love with a young gambler. He asks her to marry him but she refuses to do so, until he gives up gambling and get a job. A wealthy man makes every effort to meet her but she spurns him until he resorts to a ruse. He induces a girl friend of hers to take her to a cabaret after the theatre. When he approaches them and she learns who he is, she, without giving a chance to her girl friend to tell him who she is, pretends that she is someone else, and tells him many things derogatory to herself. The wealthy man defends her and then leaves in disgust. He learns from her girl friend that her one wish in life is to see her sweetheart get a job and he arranges matters so that the young man is hired as a cashier in a bank. A theft occurs and the young gambler rushes to the heroine, proclaiming his innocence. The heroine hides him in her room. They slip away at night and marry. The following day the heroine, who was sure that the wealthy man had framed her sweetheart so as to possess her, calls on him. When she accuses him of having framed her husband, he denies it. He eventually proves to her that her husband was a party to the theft of the bonds. She tells her husband that she does not wish to see him again.

One weakness in the story is the fact that it deceives the spectator, by making him sympathize with the young crook. The other defect is the fact that it leads the spectator to believe that the wealthy man is a villain, and then presents him as a regular fellow.

The plot has been founded on a story by Katherine Brush. It was directed by William Seiter. Raymond Hackett takes the part of the husband, and Frederic March of the wealthy man. Virginia Lee Corbin, Mickey Bennett and others are in the cast. The sound reproduction is fairly good. (Time, 75 minutes. Silent values, good.)

"Shanghai Lady" (100% T-F&D) with Mary Nolan

(Univ., Nov. 17; syn. 5,926 ft.; sil. not set)

Very well directed and acted. In fact, the acting of Mary Nolan is a piece of art. She takes it so well that she is able to win sympathy even though her part is unsympathetic. She is presented as a woman of the Shanghai underworld, meeting and falling in love with an escaped convict. Their love affair arouses the spectator's sympathetic interest. The heroine thinks that the hero is the son of some wealthy man, and the hero that the heroine is the daughter of some wealthy man, high in social position. Each dreads lest the other learn what he really is. The revelation comes towards the end, where the villain, a half caste government detective from Peking, follows the hero and is about to arrest him. The situation is shown saved by the arrival of a Mandarin, whose daughter the villain had wronged; he had been seeking the villain for years. It is implied that the Mandarin had taken the villain to another room and had him killed. Because the heroine was the innocent means by which he had found the villain, the Mandarin offers his good services to them so that they might reach the states safely. Both are overjoyed.

John Colton's play, "Drifting," has furnished the plot. John S. Robertson directed it well. James Murray is the hero, Wheeler Oakman the villain, and Anders Randolph the Mandarin. The lines are intelligible at all times.

It is not, of course, a Sunday School picture; the heroine is shown as being an inmate in a Shanghai dive. But it should prove a good attraction in theatres where strong plays take well. (Time, 65 minutes. Silent values good.)

"Paris" (100% T-D) with Irene Bordoni

(First Nat., Nov. 24; syn. 9,007 ft.; sil. not yet determ.)

A very good entertainment, although not a sensation. There are plentiful laughs, some good music, and good acting. But, although Miss Bordoni does good acting,

the honors are stolen by Louise Closser Hale. Miss Hale takes the part of the hero's mother, a puritanical old soul. She goes to Paris to prevent her son from marrying an actress, but there she becomes Parisianized herself. One drink had brought this about. Her sudden transformation from a puritanically-minded woman, to one who, although an old woman, does not hesitate to take on a sweetheart, provokes lively comedy. Zasu Pitts is in the cast and it is needless to say that she does excellent work; as the garrulous maid, she provokes considerable laughs.

Newton Centre, Massachusetts, is the beginning of the action; it is shown that the hero leaves for Paris to study architecture. There he falls in love with an actress (heroine) of the Follies. He writes to his mother asking her permission to marry the heroine and the mother goes to Paris to prevent the marriage. But when she arrives there a chance drink, given to her by the heroine's partner, who was in love with the heroine himself, makes her see things in a different light. She soon dresses like a Parisian and makes love to the heroine's partner. This shocks the hero himself, who tries to prevent his mother from marrying him. In the end, however, it comes to light that the mother was only pretending that she was in love with the heroine's partner.

Martin Brown's play of the same name has furnished the plot. Miss Bordoni takes her part well. So does Jack Buchanan, as the heroine's partner, as well as Jason Robards, as the hero. The sound reproduction is good. There are a number of pretty scenes in natural color. (Time, 98 minutes. Silent values, good.)

"So This Is College!" (100% T-D)

(MGM, Oct. 20; syn. 9,143 ft.; sil. not yet determ.)

This is a college story, but somewhat different from the college stories that have so far been put into pictures. There is, of course, the indispensable football game, which game is won at the last minute. But this time the game is in danger, not because the hero had quarreled with his sweetheart, but because the two heroes, chums in love with the same girl, had quarreled among themselves and did not have the heart to play. The novelty of the story comes from the fact that the heroine is shown as making love to both of them, when she was in love with another man, to whom she was engaged. The two friends realize how foolish they had been to quarrel among themselves for a girl who had been "kidding" them both and vow never again to allow any woman to come between them.

There is plentiful comedy; so much, in fact, that the spectators kept laughing continuously at the Capitol, where it was shown. Wisecracking and practical jokes are the cause of the comedy. The direction and acting are good, and the photography sharp. The recording was done well. As a result the words are clear at all times. Al Boasberg wrote the story; Sam Wood directed it. Elliot Nugent, Robert Montgomery, Cliff Edwards, Sally Starr, Phyllis Crane, Max Davidson, Polly Moran, Lee Shumway and others are in the cast. Time, 97 minutes. Silent values, good.)

"The Night Parade" (100% T-F&D)

(Radio Pic., Oct. 27; syn. 6,665 ft.; sil. not determ.)

The photography is excellent, and the settings good, but the story lacks originality. The action fails to impress the spectator very much. The acting in some places is very poor. That of Lloyd Ingram in particular, is mechanical; he speaks his lines like an automaton. The fight scenes are very good.

The story deals with a young pugilist, who led a straight life. But the villain frames him through a woman to accept a certified check for \$100,000, made out to him and to the woman, with the understanding that he was to throw the fight; he had succeeded in inducing the hero to agree to it at a cocktail party, during which the hero was made to drink heavily. Just before the hero enters the ring, his father, who had learned of his son's act, enters the dressing room and upbraids him. The hero realizes what he was about to do. In the beginning of the fight, the opponent had the advantage. But his father, who had heard of his son's change of heart, approaches him and urges him to fight hard. He does so and knocks his opponent out.

There is a mild love affair in it. The plot has been taken from "Ringside," by Hyatt Daab, Ted Paramore and George Abbott. Hugh Trevor is the hero, Dorothy Gulliver the heroine, Eileen Pringle the vampire, and Robert Ellis the villain. The sound recording is fairly good; the voices boom at times. (Time, 70 minutes. Silent values no better than sound values.)

GET BUSY WITH YOUR CONGRESSMAN

"In the last thirty days," writes an Illinois exhibitor, "I interested and believe have fully enlisted the aid of two Illinois Senators in the cause of the motion picture industry. I have interested also others of the Senate, and am in communication with the Attorney General."

"In addition to this, I have interested my local newspaper men in the deplorable conditions and in the stranglehold which the producers have on the independent exhibitor. After talking to one of them for a while, he jumped on his feet and said: 'A monopoly of this kind would be a d—d outrage; it would create a propaganda mill, making it possible for those in control to move this country in any manner they cared to.'"

"This editor immediately wrote to two United States Senators. Their answers proved that he had aroused these gentlemen."

"If you will, through your columns, induce every independent exhibitor that is still left to have him write to his congressman and interest his local Chamber of Commerce to write to him also, I believe the day will be won in the next session of Congress. There is no time to lose."

This exhibitor is right. If every exhibitor did what this exhibitor has done, I am sure that legislation will be enacted to make it impossible for one or two individuals to keep control of a medium too dangerous to be in their hands. The person who controls the motion picture industry controls the acts of this nation.

THE LOSS TO THE INDUSTRY FROM THE USE OF THE WRONG FILM RECORDING SYSTEM

It has often been stated in these columns that the variable width system of sound recording is superior to the variable density system.

Almost every day I find confirmation of this theory. To this day no film has been produced by the variable density system that can compare in tone quality with "The Street Girl," "Rio Rita," and "Jazz Heaven."

There is the sound of a steamboat whistle in both "Lucky in Love," the Pathe picture, and "Condemned," the Samuel Goldwyn picture, released by United Artists. The former has been, as said, recorded by the variable width system; the latter, by the variable density system. The former is rich in tone and sounds like a real steamboat whistle; the latter is but an imitation of a steamboat whistle; it does not sound like a real one.

The recording of such a sound is the best criterion of a system's merit, because it is the most difficult sound to record.

The use of the variable density system of sound recording costs the industry million of dollars a year, in the theatres as well as in the studios; in the studios, because of the necessity for retakes; in the theatres, because of the retarding of the popularity of talking pictures that such a system has caused and is still causing.

As said in these columns before, the variations of the light that go through the sound track are caused by the variation in the density of the track; and as the emulsion is seldom perfect, the defects in it affect such variations and consequently the quality of the sound; whereas in the variable width system the variations of the light are caused by variations in the width of the sound track. Defects in the black part of the sound track can often be eliminated by painting them over.

Next time you see a picture that has been recorded by the variable width system notice the absence of ground noise. Compare this with the ground noise caused by the sound track of pictures that have been recorded by the variable density system, and you will realize why the variable width system is better.

Radio Pictures, Tiffany Pictures, Pathe Pictures,

and Educational Pictures are using the variable width (Photophone) system of sound recording; all the others, with the exception of Warner Bros. and First National, who record on disc, are using the variable density (Movietone) system.

At this time let me again say that there is no original disc recording. The Warner Bros. and First National recording is done on individual discs for each scene. These discs are, after the film is completed, run through a reproducing apparatus and are re-recorded on as many master discs as are reels.

The disc recording of all the companies that use the film system is recorded on film; it is then transferred to the disc.

Disc recording done from pictures the sound of which has been recorded by the variable density system is not as good as the recording that is done from a sound track recorded by the variable width system, for the reason that the defects in the sound track are transferred to the disc. Good disc re-recording often eliminates some of the undesirable noises but it cannot always do so; when the frequencies of such noises are within the range of the musical scale they cannot be eliminated.

Some of those who are now using the variable density system desire greatly to adopt the variable width system, abandoning entirely the variable density; but contractual obligations prevent them from doing so. Some day, however, they will have to make the change, in some manner; otherwise those who are using the variable density system will outdistance them. Right now the general public does not distinguish bad from good tone quality; but they are fast becoming educated to know it.

It is not enough that the actors should be understood; their voices must be pleasant. And such a result can hardly be attained with a defective recording system.

"Tainted Heroines Cannot Hold Interest of Average Spectator

"Leatrice Joy, in 'A Most Immoral Lady,' is a mild flop though no fault of her own. She works hard, generally effectively, and offers a real charm of personality, but suffers under the handicap of being a badger worker, and you cannot quite take her to your heart."

"Now and then Pete Harrison bubbles over with what seems to be an amusing indignation, but Pete generally is right when you get right down to cases. Pete has been in the exhibition business and he knows that this and that, while it may get over on Broadway, will not please customers in the smaller towns."

"It is a pity that some film executives, particularly those in the production end, do not share Pete's knowledge. If they did, they would not offer us half rotten heroines and caddish heroes. . . ."—Epes W. Sargent, in "Zitt's."

Mr. Sargent might have added that, had the producers of pictures heeded some of "Pete's" suggestions, they would not now be bombarded by the churches and women's clubs, demanding censorship as a cure. Instead of doing the right thing, they put up a churchman to pacify them—Will H. Hays. But he can no longer pacify them, for they know that he has no power to enforce his views.

HARRISON'S REPORTS has often stated that Mr. Hays is now a liability to the industry instead of an asset. If anybody had any doubt about it, the recent attack on him and on the members of his organization at the luncheon of the National Council of Women of the United States, held at the Grand Central Palace on November 6, ought to disillusion him. And so long as Mr. Hays is the "Czar" of the motion picture industry, that long the attacks will keep on.

Perhaps the producers feel that by letting Mr. Hays receive the attacks, they are let alone. If they so think, they may wake up some of these days to find a different condition from that they expected. The new Brookhart Bill, which will be treated in these columns shortly, may give them that jolt.

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NOW IS THE TIME FOR MR. HAYS TO SHOW WHETHER HE IS A STATES- MAN OR NOT

The statements given out by the Department of Justice and by the Hays organization at the time the arbitration suit was filed, the apologetic wording of the Government's pleading, and the half-hearted way in which the Government's case was presented, gave the impression to many persons connected with this industry that the Government did not desire to prosecute the picture trust. Representatives of the Hays organization "pooh-poohed" the idea that anything serious would result out of the Government arbitration and contract suit. Judge Thatcher's opinion in the credit committees' case was pointed to with a swelled chest, and it was implied that a similar fate awaited the Government's arbitration suit.

District Judge Thatcher's sweeping decision against them and the Hays organization was the greatest shock the producers have received since the industry came into being. All their soft-pedalism and extreme optimism did not help them.

But that shock does not seem to have taught them a lesson; they are acting in a way that is destined to bring them a worse shock. In the closing part of his opinion, Judge Thatcher recommended that the members of the industry get together under the auspices of the Department of Justice and work out a fair and equitable contract, the kind that will not violate the law. "Upon settlement of the decree the parties may suggest provisions, if such be feasible," Judge Thatcher said, "under which uniform contracts containing arbitration clauses may be voluntarily adopted by the members of this industry without coercion or other unlawful restraint." But what are the producers doing to comply with this suggestion? Articles appearing in the trade papers indicate that they, through Will H. Hays, are seeking to agree with Government counsel on a decree that will not take into account the rights or desires of the exhibitors.

This is not in keeping with the spirit of the court's decision or with the rules of fair dealing. The Government has no right to make an agreement with Hays affecting the rights of the theatre owners without consulting with their representatives. The independent theatre owners of the country have in the Allied States Association an organization competent to represent them and to protect their interests in negotiations with the Department of Justice, and, if necessary, in court proceedings. HARRISON'S REPORTS, therefore, warns both the Department of Justice and the representatives of the producers against any Star Chamber settlement of the decree without consulting with the genuine representatives of the independent exhibitors.

The time is now ripe for a settlement of internal disputes so that the industry may march together in harmony towards greater achievements. The Allied States Association, particularly its head, in proposing a settlement along the lines indicated, has shown good faith to the utmost degree, and the producers should not fail to accept the proposal. If Mr. Hays should persist in negotiating a secret decree, he will not only furnish additional evidence of his unfitness for the position he now holds, but also will render both the motion picture industry and the Department of Justice a distinct disservice. If there is any statesmanship in Mr. Hays, now is the time for him to show it.

ONE MORE GOOD FRIEND FOR YOU

Mr. C. S. Barrett, of Union City, Georgia, has introduced in the Senate, through Senator Brookhart, a Bill affecting the motion picture industry. This Bill, known as S. 1944, would, if enacted into a law, create a com-

mission, the functions of which will be to receive suggestions about the improvement of arts, particularly of the art of motion pictures, and, after studying them, to accept those ideas that are worth accepting and to make recommendations to Congress for such laws as will be necessary to protect the general public.

This commission is to have wide powers; it will have the right, for example, "to obtain from persons and corporations engaged therein full and complete information necessary to enable the commission to perform the duties and carry out the objects for which it was created." It will have the power "to require, by subpoena, the attendance and testimony of witnesses and the production of all persons, papers, contracts, agreements, and documents relating to any matter under investigation."

The motives that prompted Mr. Barrett to seek the introduction of this bill are fully explained in his letter to Senator Brookhart, which was published in the Congressional Record. Here are some extracts from it:

"The recreation of the man on the farm is generally limited to the motion or talking picture and the nature of entertainment that is given to him must of necessity leave its mark and impression upon his mind and character. For that reason it is important to the country at large that a watchful eye be exercised over the subject and character of entertainment that is being broadcast throughout the land.

"While it is not necessarily the purpose of the bill to create a censorship, yet the existence of a Federal commission with a watchful eye upon this gigantic industry is bound to exert a constructive and moral effect upon the persons and corporations engaged in it.

"The serious abuses incidental to big business have been visited upon the country in full measure by the motion-picture industry. Ruthless attempts have been made to create monopolies in restraint of trade, economic control has been imposed upon the industry, weaker organizations have been crippled and exterminated.

"Only recently the large motion-picture organizations were indicted under the Federal laws for the violation of the anti-trust laws. . . .

"Independent producers who have poured millions into production have found themselves wiped out by the rapacity of the large combinations. Small individual theatre owners throughout the country, and particularly in the farm districts, have been sacrificed to the selfish ambition of control and monopoly that have been exercised by the more powerful organizations. . . ."

* * *

This letter and the framing of the bill are not the result of either religious fanaticism or of mania for reforms; it is the result of study, during which Mr. Barrett was convinced that a commission such as he proposes will do good both to the nation and to the industry itself. Economic reasons are what prompted Mr. Barrett to suggest the creating of such a commission.

Mr. Barrett is the chairman of the board of directors of the farmers' union, which consists of millions of farmers. He is a hard business man, and very influential politically.

You, the independent exhibitors, should consider yourselves fortunate that a man of Mr. Barrett's influence and ability has interested himself in your troubles. Don't let the producers scare you off with the "Government control" bugaboo. This commission will be no different from the commissions in other industries, such as the Radio Commission, and the Tariff Commission. Besides, you are being driven out of business yearly by the ruthless tactics of the producers and distributors. Why should you be scared of Government interference?

Write to Mr. Barrett and thank him for the interest he has taken in the affairs of the motion picture industry. Encourage him to fight hard for your protection.

"The Song of Love" (100% T-F&D)—with Belle Baker, Ralph Graves & David Durand
(Columbia, Nov. 25; syn. 7,720 ft.; sil. not fixed)

A deeply appealing picture, even though the story lacks originality. Miss Baker appears for the first time in talking pictures. Her work is very good, but most of the attention is attracted by David Durand, a boy of about twelve; he poses as the heroine's little son, who is the one thought in his mother's mind. The scenes that show the little boy in the military academy, with his mother visiting him; those that show his birthday party, with the father visiting him for a few moments, then departing, leaving his wife for a blonde; those of the meeting between the young boy and the father, who had gone from bad to worse and taken to drinking; the scenes of the reunion at the theatre, where the "three musketeers" once again are happily together—all these should touch the heart of every father and mother, particularly of grandparents.

The story is that of two vaudeville performers, hero and heroine, who are separated because a blonde had fascinated the hero. The mother goes to the country to keep house for her son. Later she becomes a cabaret singer, so as to make a living for herself and her son, finally joining the stage, and reaching Broadway, there becoming famous. The hero goes from bad to worse. He has a quarrel with the blonde and she leaves him. He then abandons himself to drink. A kindly friend brings father and son together and the son takes his father to the theatre and, seating himself in one of the boxes in the balcony, takes up his mother song where she left it, just as he did in their act in the old days. The mother is surprised to see her husband with her son, but she is happy and nods to her husband joyfully. They are reunited after the performance.

Howard Green, Henry McCarthy, and Dorothy Howell wrote the story; Erle Kenton directed it. The words were intelligible at all times but the tone quality of the sound was not very good: it was pretty hoarse most of the time. The film version was shown. The sound of the discs, which will naturally have to be made out of the film sound, may be even worse. (Time, 80 minutes. Silent values, good.)

"The Kiss" (Silent)—with Greta Garbo
(MGM, Nov. 9; syn. and sil. 5,754 ft.)

A fair silent. The story lacks originality, but the good acting of Miss Garbo imparts some interest to it. Miss Garbo is presented in this picture as a woman who had not committed any indiscretion, even though she loved another man, her husband being an old man. The scenes where the young college boy, in love with the heroine, is found by the heroine's husband kissing the heroine, who considered with amusement the puppy love of the young schoolboy and did not want to hurt his feeling by sending him away, are somewhat suspenseful. So are the scenes of the trial, in which the heroine is shown convincing the jury that her husband had committed suicide. There is a touch of comedy here and there, but not much of it.

The heroine does not love her husband, because he is too old; she loves the hero. But because their love is true the heroine is unwilling to divorce her husband to marry him. He agrees with her and in order to be far away from her he goes away. A

young schoolboy, son of a friend of the heroine's husband, falls in love with her. She is amused with him. The young boy visits her at night while her husband is away. She is about to send him away when he asks for a kiss. She amusingly lets him kiss her. Her husband returns unexpectedly and, seeing them kissing each other, thinks that there were intimate relations between them. He gives the boy a good beating, and, catching him by the throat, is about to choke him when the heroine, to save the boy's life, shoots and kills him. At the trial the heroine is exonerated of the murder, the hero having defended her successfully.

George M. Saville wrote the story; Jacques Feyder directed it well. Conrad Nagel is the hero; Anders Randolph is the husband, Lew Ayres, the schoolboy; Holmes Herbert, the father. The sound reproduction is good. (Time, 61 minutes. Synchronized with music.)

"Woman to Woman" (100% T-F&D)—with Betty Compson

(Tiffany; Oct. 28; syn. 8,065 ft.; sil. not yet det.)

A tragic drama, full of human interest and pathos, the kind that brings tears to the eyes of women and a lump in the throats of men. It is well produced, with elaborate sets, and Miss Compson does some very good dancing. There are two gripping scenes, the one being where the heroine calls on the hero's wife to persuade her to adopt her son (with the hero) and the other where the wife calls on the heroine and induces her not to run away with her husband, agreeing to take the child:—

The heroine, a French singer and dancer, meets the hero while entertaining the soldiers in a dance hall, and they fall deeply in love. On the day they are to be married, the hero is suddenly recalled to the front and the heroine waits in vain for his return. He is severely wounded and loses his memory. Several years later, now a successful man back home in England, with his mind still a blank as far as the war is concerned, he is unhappily married to a socially prominent wife, who refuses to have children. He is persuaded to attend a theatre and hears the heroine, now a famous star, sing the song which she sang during the war. This brings back his memory, and he goes to the heroine's home. She is still in love with the hero and is very unhappy to learn that he is married. She introduces him to his little son who lay sleeping in the next room. He is greatly pleased to learn of this rather unexpected event and later tried to persuade his wife to adopt the boy. At first she refuses to do so. But she later changes her mind and prevents the hero and heroine from eloping. The heroine is told by her doctor that if she dances once more it will kill her. She realizes that her love for the hero is hopeless and agrees to dance at his home for a charity affair given by his wife. After the dance, she dies in the hero's arms.

Miss Compson is excellent. George Barrard is a pleasing hero and Juliette Compton is fair as the other woman. Florence Chambers is the heroine's maid and Winter Hall is her doctor and friend. The sound recording is excellent; there is a complete absence of ground noise.

Victor Saville directed it. The stage play by Michael Morton furnished the plot. (Time by watch 95 min.)

"Seven Faces" (100% T-F&D)—Paul Muni
(*Fox*, Dec. 8; *syn.* 8,006 ft.; *sil. not yet determ.*)

Not a good entertainment. To begin with, it is too gruesome; the action unfolds in a museum of wax figures. On top of this, it is too monotonous; the action is centered too much in one character, whose acts are not more than passingly interesting. The outstanding action is supposed to be that which shows the caretaker of the museum being tried for stealing the figure of Napoleon, whom he came to love like a friend. He tried to buy it but because some other buyer overbid him he took the wax figure away. He is arrested and tried, but because of the powerful defense by a young friend, sentence is suspended. The judge also decides that the statue of Napoleon should be sold to the old man, the price being raised by a contribution among all the judges.

The title is derived from the fact that Paul Muni impersonates seven persons. In the scene where the old man is shown asleep and dreaming, the wax figures take life, Mr. Muni taking the part of each one of them alternately. Napoleon, Don Juan, Franz Schubert, Joe Gans, and others are the parts.

The story is by Richard Connell; it was directed by Bethold Viertal and Lester Lonergan. The sound reproduction was good at the Roxy, where it was shown. (Time, 83 minutes. Silent values, poor.)

**"The Last Performance" (S)—with
Conrad Veidt**
(*Universal*, Oct. 13)

Good acting, but mediocre entertainment. The story is somewhat gruesome; the hero, a magician, is shown as murdering one of his subjects. He murders the wrong man, however; his intention was to murder the hero, but the other man entered the box so that, when the swords were run through it, they were sent through the victim. By murdering the hero, he hoped that the heroine, whom he loved secretly, would accept him as a husband. At the trial he confesses, and then commits suicide.

The story is by James Ashmore Creelman. Paul Fejos directed it. Mary Philbin is the heroine; Leslie Fenton, the murdered man; Fred MacKaye the heroine's sweetheart. Sam De Grasse, Anders Randolph and others are in the cast.

(Length: sound-on-film version, 5,999 ft., 69 minutes; sound-on-disc, 5,629, 62 minutes; silent version 5,790 ft., time from 67 to 82 min.)

"Painted Faces" (100% T-F&D)
(*Tiffany*, Nov. 20; *syn.* 6,665 ft.; *sil. not determ.*)

There is deep pathos in this story of homely Joe Brown, and good acting on the part of Mr. Brown and of others. The most important action unfolds in a jury room, where the hero, a person of German descent and speaking English in a broken way, stands for the acquittal of the defendant, refusing to give way when the other jurors, among whom are women, press him hard to change his vote to "guilty." He told them that he believed that the defendant was innocent. He held to his resolve for five days until the foreman decides to inform the judge that they could not agree so that they might be discharged. The hero begs them to listen to a story he wants to tell and when the other jurors refuse to listen to him he proposes that if after listening to his story they were still unconvinced of the defendant's innocence he would

vote guilty. They then listen to his story. In a dramatic way he tells them that he was a circus clown, rearing as his own child a girl left to his care by a dying friend; that the murdered man, who at that time worked in the circus, had induced the young girl to follow him, that he ruined the girl, that the girl had committed suicide rather than face the world disgraced, that he had followed the villain for years with the hope of finding and killing him, and that when he had found him performing in the theatre he entered secretly his dressing room and killed him, and because the defendant had previously quarreled with the villain on account of his wife, the murder had been fastened on him. The other jurors are moved by his story and vote "Not Guilty." At the same time they decide not to reveal anything of what was told in the jury room, all feeling that the hero was justified in murdering the scoundrel.

Frances Hyland wrote the story, and Al Rogell directed it. While that part of the action which unfolds in the jury room is rather heavy, the circus part, told in a flashback, should please children. Helen Foster is the heroine. Barton Hepburn, Dorothy Gulliver, Lester Cole and others are in the cast. The sound reproduction is excellent. (Time, 73 minutes. Silent values, very good.)

"The Saturday Night Kid" (100% T-F&D)
—with Clara Bow

(*Param.*, Oct. 26; *syn.* 6,015 ft.; *sil.* 6,392 ft.)

A human interest picture, different from the sort of pictures Miss Bow has so far appeared in. She is neither a flapper nor a vampire, but is the good-hearted sister, who sacrifices everything for her young sister, eventually finding out that she, instead of appreciating her sacrifices, brings trouble upon her, by lying about her. Miss Bow does excellent work as the sister with the motherly feelings. Jean Arthur does well in the part of an ungrateful sister; she is presented as a "soft-brained" girl. Edna May Oliver, as the director of the Employers' Welfare League, at the Ginzburg stores, is capital; her dominating nature brings many a laugh. James Hall is the hero, in love with the heroine. He, too, does good work:—

It is about a shop girl, who sacrifices her comfort for her young brainless sister, receiving ingratitude in return. She even tries to steal her sweetheart. The young sister is induced by a worthless man to let him have her money to bet on horses. When her own money goes, she takes the money that belonged to the Welfare League. When the heroine learns what happened to the League's money, she tells her sister, her sister accuses her to the director of the matter. She lures the crook into a dice game and takes every dollar back. But before she had a chance to return it and thus cover the misdeed of her sister, her sister accuses her to the director of the League that she had gambled the League's money. The heroine is humiliated and feels so resentful that when they return home she gives her sister a good beating. The hero, who lived next door, enters the room and offers his apologies to the heroine for having misjudged her. The heroine at first refuses to forgive him but she forgives him eventually.

The plot has been founded on the stage play, "Love 'Em and Leave 'Em," by George Abbott. Edward Sutherland directed it well. (Time, 65 minutes. Silent values, good.)

A STATEMENT BY MR. MYERS ON THE DIFFICULTIES OF THE PRODUCERS AS A RESULT OF JUDGE THACHER'S DECISION AND COMMENT THEREON

Part of a statement issued by Mr. Abram F. Myers, President and General Counsel of Allied States Association, upon his return to Washington after an absence lasting more than a month, reads as follows:

"The nub of Judge Thacher's decision in the United States v. Paramount Famous Lasky Corporation et al. is that the standard exhibition contract is illegal.

"It is illegal because imposed on the exhibitors of the country by the combined action of the producers acting through and under the leadership of the Hays organization.

"This chaotic situation would not have arisen had the Hays organization been willing to negotiate an equitable contract, providing for fair arbitration, with the freely chosen representatives of the exhibitors.

"As a result, there must follow from this decision a decree finding that the producer-defendants are engaged in a conspiracy in restraint of inter-state trade and commerce in violation of the Sherman Anti-Trust Law, enjoining them from their present methods of doing business.

"The attention of exhibitors is invited to the following provisions: of Section 5 of the Clayton Act:

"That a final judgment or decree hereafter rendered in any * * * suit or proceeding in equity brought by or on behalf of the United States under the Anti-trust Laws to the effect that a defendant has violated said laws shall be prima facie evidence against said defendant in any suit or proceeding brought by any other party against such defendant under said laws as to all matters respecting which said judgment or decree would be an estoppel between the parties thereto . . ."

* * *

Another part of the statement reads as follows:

"Certain trade papers attribute to a spokesman for the producers the statement that the situation resulting from the decision will be met by offering to the exhibitors, in each transaction, (1) the standard exhibition contract without advance deposit, or (2) a straight contract or lease with advance deposit.

"This would not constitute a compliance with either the letter or the spirit of the decision, since the acceptance of the uniform contract would be accomplished through the exercise of the same 'irresistible economic force consolidated by combination' which was specifically condemned by Judge Thacher.

"There is no consideration of credit that justifies a demand for cash deposit from the exhibitors. Pictures are paid for in advance, they move in and out of the theatres in accordance with settled routine, and the theatre owners compare favorably with other classes of business men—certainly with the exchange managers and salesmen with whom they deal—in business integrity.

"While it is confidently believed that any such effort to nullify the effect of the decision will meet the determined opposition of the Department of Justice, it is disappointing to learn that the Hays organization, instead of adopting Judge Thacher's suggestion for a solution under which proper contracts 'may be voluntarily adopted by the members of this industry without coercion or other unlawful restraint,' still is devising means for imposing the present contract and arbitration on the exhibitors against their will."

Mr. Myers should not have been surprised at the fact that Mr. Hays and the lawyers of his organization are conferring with representatives of the Department of Justice for adopting a "lawful" contract and arbitration rules without consulting the independent exhibitors. Mr. Hays and the producers have conducted the affairs of the industry without regard for the rights of the independent exhibitors for such a long time that they have come to consider themselves ordained by Providence to rule it in accordance with the dictates of their own interests. They resent, therefore, any outside interference. They should like, no doubt, to tell even the courts of the land to mind their own business, if they could; but they are restrained from so telling them, for obvious reasons.

Some persons connected with the motion picture industry think that the reason why Mr. Hays has not sent for Mr. Myers so far is his dislike to recognize him. The real reason is, in my definite opinion, that he is afraid of Mr. Myers, afraid of his ability. Heretofore, Mr. Hays dealt only with exhibitors. These he could manipulate at all times either by taking them to

the millionaire Union Club and, by impressing them with the pomp and glory, making them voluntarily do his bidding. The thought in some of them that they had lunch with Mr. Hays, and at the Union Club, was enough to make them think that Mr. Hays is a great man, and that he could do no wrong to the exhibitors. And the proof of it is the fact that with all the connings, the luncheons, and the Hays benedictions, the independent exhibitors never received a square deal from him. But now he has to deal with a man that is equal every inch with him, and therefore knows that he has to deal with facts. And the facts are the little things Mr. Hays cannot deal with very successfully. Mr. Hays knows that Mr. Myers is equal to any situation that might arise in his defense of exhibitor interests, and politically he, that is, Mr. Myers, is far more influential.

There can be no solution of the contract and arbitration provision problem without the consent of the independent theatre owners, who are now represented by Allied States, despite all the ballyhoo Mr. Hays made in his efforts to make the M. P. T. O. A. at Memphis and elsewhere, appear as being an independent exhibitor organization. Any proposals made for the solution of this problem must have the approval of the Department of Justice. And the Department of Justice is unlikely to approve proposals affecting the interests of the independent exhibitors without consulting with their representatives.

It is better for the producers to send for the leaders of Allied States than wait until they are called in by the Department of Justice.

ANSWERING THE CHURCHMAN'S QUERIES MADE TO MR. HAYS

THE CHURCHMAN, in its issue of November 16, asks Mr. Hays six questions. They are the following:

1. "Exactly what power, Mr. Hays, do you possess over the character of films produced and distributed by the Motion Picture Producers and Distributor's Association?"

2. "Can you veto unfit films?"

3. "If so, why do you not do it?"

I omit the other questions; they are the least important.

When Mr. Hays was asked by the press associations what were his answers, he stated that he did not read THE CHURCHMAN. Manifestly he did not want to answer them, and as I have been in the industry long enough, and have watched the doings of Mr. Hays closely enough, I think I can answer these questions to the satisfaction of the CHURCHMAN.

No. 1. Mr. Hays has no power whatever over the character of the films or over any other business matters of members of his organization. That is what he told the world at the Trade Practice Conference, held in October, 1927.

No. 2. Mr. Hays cannot veto any unfit film. If he could, he would have vetoed the "hot" scenes in "Sunny Side Up," the dirty talk in "The Cockeyed World"; also in "Frozen Justice," in the scene where a woman of the dance hall is shown putting her arms on El Brendel's shoulders.

3. Questions No. 2 answers No. 3.

THE VOICE OF AN EXHIBITOR ON THE KIND OF SOUND THAT SHOULD BE USED

Mr. R. V. Erk, manager of Mays Piqua Theatre, of Piqua, Ohio, writes as follows:

"Dear Mr. Harrison:

"I read with a great deal of interest the letter written by Mr. H. L. Summerer, as published in the November 9 issue of HARRISON'S REPORTS.

"If Mr. Summerer were a theatre operator instead of being employed by a Record manufacturer, he would realize how empty his arguments actually are. Tone quality, frequency range, life of discs, excessive express charges, etc., etc., are all subordinate to the fact that records have the troublesome habit of going out of synchronism either by the needle's jumping a groove or by staying in one groove, defying distracted operators.

"Frequently we will run several sets of Discs one after another with no trouble at all and then, bingo!—we are in trouble up to our necks. When there is the sound of a door slamming hard or a loud explosion or report of any sort, look out! for the disc is going bad before the run is completed.

"I hope that within a year all companies will unite in using film track sound."

HARRISON'S REPORTS

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THE MEANING OF THE SOUND SYMBOLS

(AT) means all talk, or 100% talk; (PT), part talk; (F), that the sound is recorded on the film; (D), that the sound is recorded on the disc; (F&D), that the sound has been recorded on both film and disc; (N), that there is no silent version. Thus (ATF&DN) means that the picture is 100% dialogue, that the sound has been recorded on both film and disc, and that there is no silent version. When a picture is marked (F&D), the sound was originally recorded on the film and afterwards transferred to the disc by re-recording. Re-recorded sound is poor unless it is done by experts, persons that have had years of experience in re-recording. Even then, its quality will depend on the kind of sound track used in the original recording, on whether the raw stock was good, and on whether the development of the negative was good or not.

FEATURE PICTURE RELEASE SCHEDULES

Columbia Features Sound and Silent

Flying Marine (PT-F&D)—Ben Lyons-S. Mason.	June 5
Fall of Eve (AT-F&D)—I. Keith-D. Revier.	July 29
Light Fingers (ATF&D)—I. Keith-D. Revier.	July 29
College Coquette (ATF&D)—Ruth Taylor-Wm.	
Hurricane (AT-F&D)—H. Bosworth (reset).	Sept. 30
Acquitted (AT-F&D)—Hughes (reset)	Nov. 10
Broadway Hooper (AT-F&D)—J. Egan.	not set

1929-1930 Season

Flight (AT-F&D)—Holt-Lee	Oct. 23
Broadway Scandals (AT-F&D)—Egan-O'Neill.	Nov. 4

First National Features Sound

483 Drag (AT-D)—R. Barthelmess	July 21
523 Smiling Irish Eyes (AT-D)—C. Moore.	July 28
494 Dark Streets (AT-D)—Jack Mulhall	Aug. 11
488 Her Private Life (AT-D)—Billie Dove	Aug. 25

1929-1930 Season

571 Twin Beds (AT-D)—Mulhall-Mackaill.	Sept. 1
580 Fast Life (AT-D)—Fairbanks, Jr.-Morris.	Sept. 1
564 Hard to Get (AT-D)—Dorothy Mackaill.	Sept. 8
575 Careless Age (AT-D)—D. Fairbanks, Jr.	Sept. 15
584 Great Divide (AT-D)—Dorothy Mackaill.	Sept. 15
583 A Most Immoral Lady (AT-D)—L. Joy.	Sept. 22
586 Isle of Lost Ships (AT-D)—N. Beery.	Sept. 29
486 Young Nowheres (AT-D)—(28-29 season)	Oct. 20
568 Girl from Woolworths (AT-D)—A. White.	Oct. 27
577 Forward Pass (AT-D)—D. Fairbanks, Jr.	Nov. 10
595 Footlights and Fools (AT-D)—C. Moore.	Nov. 10
591 Paris (AT-D)—Irene Bordoni	Nov. 24

Silent Exhibition Values 1929-1930 Season

571 Twin Beds—Aug. 4.	1,100,000B
483 Drag—Aug. 11	1,300,000B
494 Dark Streets—Sept. 8	1,100,000B
564 Hard To Get—Sept. 15	1,100,000B
523 Smiling Irish Eyes—Sept. 22	Special
580 Fast Life—Sept. 29	Special
488 Her Private Life—Oct. 6	1,300,000B
575 Careless Age—Oct. 13	900,000B
584 Great Divide—Oct. 27	Special
583 A Most Immoral Lady—Nov. 17	Special
586 Isle of Lost Ships—Nov. 24	Special
577 Forward Pass—Dec. 1	1,100,000B
486 Young Nowheres—Dec. 8	1,300,000B
568 Girl from Woolworths—not set.	1,300,000B

Fox Features Sound

137 Big Time—Lee Tracy (AT-F&D)	Sept. 29
125 The River—Farrell-Duncan (PT-F&D)	Oct. 6
114 Frozen Justice—L. Ulric (AT-F&D) (reset)	Oct. 13
109 The Cock Eyed World (AT-F&D)	Oct. 20
103 Married in Hollywood (AT-F&D)	Oct. 27
135 Love, Live and Laugh (Hurdy Gurdy Man) (AT-F&DN)—Geo. Jessel (reset)	Nov. 3
146 Song of Kentucky (Thoroughbreds) (Meal Ticket) (AT-F&D)—Lois Moran	Nov. 10
136 A Romance of the Rio Grande (Conquistador) (AT-F&D)—Warner Baxter (reset)	Nov. 17
148 Nix on Dames (Street Corners) (AT-F&D)	Dec. 1
131 Seven Faces (Lover Come Back) (AT-F&D)—Paul Muni (reset)	Dec. 8
129 Christina (PT-F&D)—Janet Gaynor	Dec. 15
Hot For Paris (AT-F&D)—Victor McLaglen	Dec. 22
122 Lone Star Ranger (AT-F&D)—O'Brien.	Dec. 29

1929-1930 Season—Silent

163 Lucky Star—Farrell-Gaynor	Oct. 16
Behind That Curtain—Moran-Baxter	Oct. 13
172 The Black Watch—V. McLaglen	Oct. 20
170 Speakeasy—Lane-Page	Oct. 27
178 Salute—O'Brien-Chandler	Nov. 3
169 In Old Arizona—Lowe-Baxter-Burgess	Nov. 10
Masquerade—Birmingham-Hyams	Nov. 17
171 Thru Different Eyes—Lowe-Baxter	Nov. 24

Metro-Goldwyn-Mayer Features Sound and Silent

- 5 Our Modern Maidens (SD)—J. Crawford...Aug. 24
37 Girl in the Show (Eva 5th) (AT-F&D)--Love...Aug. 31
2 Speedway (SD)—Wm. Haines.....Sept. 7
39 Unholy Night (Green Ghost) (ATD)—
TorrenceSept. 14
33 Wise Girls (Kempy) (AT-F&D)—Nugent-Young,
Sept. 21
22 His Glorious Night (Olympia) (Cock of the
Walk) (AT-F&D)—GilbertSept. 28
43 Mysterious Island (S-D)—L. Barrymore...Oct. 5
920 Marianne (AT-F&D)—Marion Davies.....Oct. 12
35 Thirteenth Chair (AT-F&D)—C. Nagel.....Oct. 19
46 So This Is College (College Life) (AT-D)...Oct. 26
39 The Viking (S-D)—Crisp-Starke (reset)...Nov. 2
927 The Kiss (Jealousy) (SD)—Garbo (reset)...Nov. 9
6 Untamed (Jungle) (AT-F&D)—J. Crawford
(reset)Nov. 16
48 Hollywood Revue (AT-DN)—Star (reset)...Nov. 23
41 It's a Great Life (Cotton & Silk) (AT-F&D)—
Duncan (reset)Nov. 30
40 Hallclujah (AT-D)—Haynes (reset)Dec. 6
1 Navy Blues (AT-F&D)—Wm. HainesDec. 13
49 Dynamite (AT-D)—C. Nagel-Kay Johnson...Dec. 20
11 Devil May Care (AT-F&D)—R. Novarro...Dec. 27

Paramount Features Sound

- 2978 Charming Sinners (ATF&D)—Clive Brook...Aug. 17
2929 The Soul of France (SD).....Aug. 24
2964 Grene Murder Case (ATF&D) Wm. Powell...Aug. 31
2955 Dance of Life (Bullesque) (ATF&D)—
Hal SkellySept. 7
2983 Fast Company (ATF&D) E. Brent-J. Oakie...Sept. 14
2979 The Lady Lies (AT-F&DN)—Houston....Sept. 21
2960 Illusion (ATF&D)—Rogers-CarrollSept. 21
2910 Jealousy (AT-F&DN)—J. Eagles (reset)...Sept. 28
2977 Woman Trap (ATF&D)—Hal Skelly-BrentSept. 28
2909 The Love Doctor (AT-F&D)—Dix (reset)...Oct. 5
2954 Why Bring That Up? (AT-F&D) (reset)...Oct. 12
2958 Welcome Danger (AT-F&D)—H. Lloyd....Oct. 19
2966 Saturday Night Kid (AT-F&D)—Bow (re.)...Oct. 26
2974 Return of Sherlock Holmes (AT-F&D) (re.)...Oct. 26
2975 Sweetie (AT-F&D)—Carroll-Kane (reset)...Nov. 2
2961 The Virginian (AT-F&D)—G. Cooper (re.)...Nov. 9
2970 The Mighty (AT-F&D)—Bancroft (reset)...Nov. 16
2922 Darkened Rooms (AT-F&D)—Brent (re.)...Nov. 23
2986 Battle of Paris (AT-F&D)—Lawrence....Nov. 30
2956 Glorifying the American Girl (AT-F&D)...Dec. 7
2901 Half Way to Heaven (Here Comes the Band-
wagon) (AT-F&D)—Chas. RogersDec. 14
2963 The Marriage Playground (AT-F&D).....Dec. 21
2976 Pointed Heels (AT-F&D)—Wm. Powell...Dec. 21
2951 The Four Feathers (S-F&D)—Brook-Arlen...Dec. 28
2906 Medals (AT-F&D)—G. CooperDec. 28

Silent

- 2928 Hungarian Rhapsody—UFA Prod.....Aug. 3
2952 The Mysterious Dr. Fu Manchu—Oland....Aug. 10
2978 Charming Sinners—Brook-ChatertonAug. 17
2929 Soul of France—French Prod.Aug. 24
2964 The Greene Murder Case—Wm. PowellAug. 31
2955 The Dance of Life—Skelly-Carroll.....Sept. 7
2983 Fast Company—Evelyn BrentSept. 14
2960 Illusion—Rogers-CarrollSept. 21
2977 Woman Trap—Skelly-BrentSept. 28
2909 The Love Doctor—Richard Dix.....Oct. 5
2954 Why Bring That Up?—Moran-Mack.....Oct. 12
2958 Welcome Danger—Harold LloydOct. 19
2966 The Saturday Night Kid—Clara Bow.....Oct. 26
2974 The Return of Sherlock Holmes.....Oct. 26
2961 The Virginian—Gary CooperNov. 9
2951 The Four Feathers—Brook-Arlen.....Dec. 28

Pathe Features Sound and Silent

- 0201 Lucky in Love (AT-F&DN)—M. Downey...Aug. 17
0203 The Sophomore (AT-F&D)—E. Quillan....Aug. 24
0107 Big News (AT-F&DN)—Robt. Armstrong...Sept. 7
0205 Sailor's Holiday (AT-F&D)—Alan Hale...Sept. 14
0207 Her Private Affair (AT-F&DN)—Harding...Oct. 5
0211 Oh, Yeah! (AT-F)—Robt. Armstrong...Oct. 19
0115 The Racketeer (AT-F)—Robt. Armstrong...Nov. 9
0109 Red-Hot Rythm (AT-F)—Alan Hale.....Nov. 23
0209 Rich People (AT-F)—Constance Bennett...Dec. 7
0111 His First Command (AT-F)—Wm. Boyd...Dec. 28
0215 The Grand Parade (AT-F)—F. Scott...Jan. 11
0127 This Thing Called Love (AT-F)—Bennett...Jan. 25

Radio Pictures Features Sound and Silent

- 0503 The Very Idea (AT-I&D)—KearnsSept. 15
0203 Delightful Rogue (AT-F&D).....Sept. 22
0102 Rio Rita (AT-F&D)—Daniels (reset)....Oct. 6
0201 Half Marriage (AT-F&D)—Borden-Farley...Oct. 13
0204 Night Parade (AT-F&D)—Hugh Trevor...Oct. 27
0509 Jazz Heaven (AT-F&D)—O'Neill (reset)...Nov. 3
0505 Tanned Legs (AT-F&D)—Pennington (re.)...Nov. 10
0507 Fire Walker (AT-F&D)Nov. 24
0105 Vagabond Lover (AT-F&D)—Vallee-Blane...Nov. 24
0103 Hit the Deck (AT-F&D)—Walker-Oakie...Dec. 15
0205 Dance Hall (AT-F&D)—Olive Borden-Lake...Dec. 22

Tiffany Features Sound and Silent

- Woman to Woman (AT-F&D)—Betty Compson...Oct. 28
Painted Faces (AT-F&D)—Joe Brown-H. Foster...Nov. 20
Lost Zeppelin (AT-F&D)—C. Tearle-V. Vallie...Dec. 10
Peacock Alley (AT-F&D)—Mae Murray.....Dec. 20

United Artists Features Sound and Silent

- Bulldog Drummond (AT-F&DN)—Colman.....Aug. 3
Evangeline (SD)—D. Del Rio.....Aug. 24
Three Live Ghosts (AT-FN)—J. Bennett.....Sept. 15
The Trespasser (AT-F)—Gloria Swanson.....Oct. 5
Venus (S)—C. Talmadge.....Oct. 12
Taming of the Shrew (AT-F)—Fairbanks-Pickford
Oct. 26
The Locked Door (AT-F)—Rod LaRocque.....Nov. 16
Condemned (AT-F)—R. Colman.....Dec. 7
New York Nights (Tin Pan Alley) (AT-F)—Talmadge
Dec. 28
Lummox (AT-F) (reset)—W. Westover.....not set
Broadway Vagabond (Playboy) (AT-F).....not set

Universal Features Sound and Silent 1929-1930 Season

- A5778 Drake Case (AT-F&D)—Star (reset)....Sept. 1
A5779 Wagon Master (PTF&D)—Ken Maynard...Sept. 8
A5784 Hold Your Man (AT-F&D)—LaPlante...Sept. 15
A5787 Broadway (AT-F&D)—All Star.....Sept. 15
A5781 Barnum Was Right (AT-F&D)—Tryon...Sept. 22
A5782 Tonight at Twelve (ATF&D)—Bellamy...Sept. 29
A5795 One Hysterical Night (AT-F&D)—Denny...Oct. 6
A5821 Last Performance (PT-F&D)—Veidt....Oct. 13
A5783 Long, Long Trail (AT-F&D) (reset)....Oct. 27
A5785 Mississippi Gambler (AT-F&D) (reset)...Nov. 3
A5813 Senor Americano (AT-F&D) (reset)....Nov. 10
A5788 Shanghai Lady (AT-F&D) Nolan (reset)...Nov. 17
A5796 Shannons of Broadway (AT-F&D) (re.)...Nov. 24
A5817 Courtin' Wild Cats (PT-F&D)—Gibson...Dec. 1
A5812 Skinner Steps Out (AT-F&D)—Tryon...Dec. 8
A5820 Parade of the West (AT-F&D)—Maynard...Dec. 15
A5790 The Devil's Pit (PT-F&D) (reset).....Dec. 22
A5802 Hell's Heroes (AT-F&D)Dec. 29

Warner Bros. Features Sound

1929-1930 Season

- 251 On With the Show (AT-DN) (reset).....July 13
258 Gold Diggers of Broadway (AT-D) (reset)...Oct. 5
275 Evidence (AT-D)—P. Frederic-Courtenay...Oct. 5
266 Is Everybody Happy? (AT-D)—Ted Lewis...Oct. 19
269 Disraeli (AT-D)—Geo. Arliss-J. BennettNov. 1
273 The Sap (AT-D)—Ed. W. Horton.....Nov. 9
268 So Long Letty (AT-D)—C. Greenwood....Nov. 16
283 The Sacred Flame (AT-D)—P. Frederick...Nov. 30

Silent

- 229 From Headquarters—Monte BlueJune 6
246 The Glad Rag Doll.....June 6
243 The Time, the Place, and the Girl—All Star...July 8
245 Madonna of Avenue A—D. Costello.....July 22

1929-1930 Season

- 187 Noah's Ark—D. Costello-G. O'Brien.....July 27
250 The Gamblers—Wilson-WarnerAug. 3
270 Honky Tonk—Sophie TuckerSept. 21
276 Hottentot—E. HortonSept. 28
274 Argyle Case—T. MeighanOct. 5
252 Say It With Songs—Al Jolson.....Oct. 19
267 In the Headlines—Withers-NixonOct. 26
272 Skin Deep—Monte Blue—D. Lce.....Nov. 2
257 Hearts in Exile—D. CostelloNov. 26

ONE AND TWO REEL SUBJECT RELEASE SCHEDULES

Educational—One Reel

Lyman Howe's Hodge Podge (SD).....Nov. 17

Educational—Two Reels

Sole Support—Big Boy-JuvenileAug. 4
The Comabule (TF&D)—Clyde-Gibbon-Sennett.....Aug. 11
His Baby Daze (TF&D)—L. HamiltonAug. 18
Look Out Below (TF&D)—Ray, McKee-J. White.....Aug. 18
Fake Flappers—Drew-IdealAug. 18
Ticklish Business (TF&D)—Collins-Mermaid.....Aug. 25
The Lunkhead (TF&D)—Clyde-Gibbon-M. Sennett.....Sept. 1
Social Sinners (TF&D)—McKee-TuxedoSept. 1
Fire Proof (TF&D)—Lupino LaneSept. 8
Prince Gabby (TF&D)—E. Horton-Coronet.....Sept. 15
The Golfers (T-F&D)—Maek Sennett.....Sept. 22
Peaceful Valley (T-F&D)—Lloyd Hamilton.....Sept. 29
A Hollywood Star—Gibbon-Clyde (AT-F&D).....Oct. 13
Hunting the Hunter (T-F&D)—Jack White.....Oct. 20
The Talkies (T-F&D)—Collins-Dent-Mermaid.....Oct. 27
Clancy at the Bat—Maek Sennett (AT-F&D).....Nov. 3
Toot Sweet—L. Hamilton (AT-F&D).....Nov. 10
Don't Get Excited—McPhail-Tuxedo (AT-F&D).....Nov. 10
Purely Circumstantial—Lupino Lane (AT-F&D).....Nov. 17
New Haliback—Maek Sennett (AT-F&D).....Nov. 24
Good Medicine—Horton-Coronet (AT-F&D).....Dec. 8
Uppercut O'Brien—Maek Sennett (AT-F&D).....Dec. 15
Grass Skirts—Lloyd Hamilton (AT-F&D).....Dec. 22
The Madhouse—Jack White (AT-F&D).....Dec. 29

Fox—One Reel

Airways of the ArcticAug. 4

Metro-Goldwyn-Mayer—One Reel

Yvette Rugel Act (AT-D).....Oct. 12
Biltmore Trio Act (AT-D).....Oct. 19
Clyde Doerr Act (AT-D).....Oct. 26
Tom Waring Act (AT-D).....Nov. 2
Tiffa Ruffo Act (AT-D).....Nov. 9
Earl and Bell Act (AT-D).....Nov. 16
Duci De Kerekjarto Act (AT-D).....Nov. 23
Aaronson's Commanders Act (AT-D).....Nov. 30
Jimmy Hussey Act (AT-D).....Dec. 7
Roy Evans Act (AT-D).....Dec. 14
The Revellers Act (AT-D).....Dec. 21
Mme. Maria Kurenko Act (AT-D).....Dec. 28

Metro-Goldwyn-Mayer—Two Reels

Saturday's Lesson—Gang (S-D).....Nov. 9
Hoosgow (AT-F&D)—Laurel-HardyNov. 16
The Shooting Gallery—Revue (AT-D).....Nov. 23
Skirt Shy (AT-F&D)—Langdon.....Nov. 30
Moan and Groan, Inc. (AT-F&D)—Gang.....Dec. 7
Angora Love (S-D)—Laurel-HardyDec. 14
Gems of MGM—(AT-F&D)—RevueDec. 21
Great Gobs (AT-F&D)—ChaseDec. 28

Paramount—One Reel

Raising the Roof (ATF&D)—L. Roth-Act.....Aug. 24
Goodbye, My Lady Love (ATF&D)—S. Song.....Aug. 31
Cow Camp Ballads (AT-F&D)—Act (reset).....Aug. 31
My Pony Boy (AT-F&D)—Sc. Song (reset).....Sept. 14
What Do I Care? (AT-F&D)—Act.....Sept. 21
Smiles (ATF&D)—Sc. SongSept. 28
Travellin' Alone (AT-F&D)—Act.....Oct. 5
Oh You Beautiful Doll (AT-F&D)—Sc-Song.....Oct. 12
The Piano Tuners (AT-F&D)—Act (reset).....Oct. 19
Noah's Lark (AT-F&D)—TalkertoonOct. 26
Pining Pioneers (AT-F&D)—Act.....Nov. 2
After the Ball (AT-F&D)—Sc. Song.....Nov. 9
On the High C's (AT-F&D)—Act.....Nov. 16
Put On Your Old Grey Bonnet (AT-F&D).....Nov. 23
At the Gate (AT-F&D)—ActNov. 30
I've Got Rings On My Fingers (AT-F&D).....Dec. 7
The One Man Reunion (AT-F&D)—Act.....Dec. 14
Talkertoon (AT-F&D)Dec. 21
The Plasterers (AT-F&D)—ActDec. 28

Paramount—Two Reels

The Fatal Forceps (AT-F&D)—Christie.....Nov. 2
The Dancing Gob (AT-F&D)—ChristieNov. 9
Dangerous Females (AT-F&D)—ChristieNov. 16
Brown Gravy (AT-F&D)—Col.-ChristieNov. 23
He Loved the Ladies (AT-F&D)—Holmes.....Nov. 30
Comedy (AT-F&D)Dec. 7
Weak But Willing (AT-F&D)—Christie.....Dec. 14

Pathe—Two Reels

Black Narcissus (AT-F&D)—Buck & Bubbles....Sept. 15
Fancy That (AT-F&D)—Folly.....Sept. 22
End of the World (AT-F&D)—Variety.....Sept. 29
Big Time Charley (AT-F&D)—Manhattan.....Oct. 6
Fairways and Foul (AT-F&D)—Golden Rooster.....Oct. 13
Gentlemen of Evening (AT-F&D)—LcMaire.....Oct. 20
In and Out (AT-F&D)—Buck & Bubbles.....Nov. 3
After the Show (AT-F&D)—Melody.....Nov. 10
So This is Marriage (AT-F&D)—Folly.....Nov. 17
His Operation (AT-F&D)—Variety.....Nov. 24

RKO—One Reel

1929-1930 Season

0901 Headwork (ATF&D)—RCA Novelties....Sept. 15
0902 Godfrey, Ludlow & NBC Orchestra (ATF&D),
Nov. 10

RKO—Two Reels

1929-1930 Season

0802 St. Louis Blues (ATF&D)—RCA Short..Sept. 8
0602 As You Mike It (AT-F&D)—Record (re.)..Sept. 8
0702 Mickey's Surprise (ATF&D)—McGuire..Sept. 15
0603 Meet the Quince (AT-F&D)—Record (re.)..Sept. 22
0703 Mickey's Mix 'Up (AT-F&D)—McGuire...Oct. 13
0909 The Uncle (AT-F&D)—RCA Marc Connelly
Oct. 13
0803 Two Gun Ginsburg (AT-F&D)—RCA Short
Oct. 13
0604 Love's Labor Found (AT-F&D) (reset)...Nov. 10
0704 Big Moment (AT-F&D)—Mickey McGuire..Nov. 10
0804 Hunt the Tiger (AT-F&D)—RCA Short...Nov. 10
0605 They Shall Not Pass (AT-F&D) (reset)..Nov. 24
0606 Eventually But Not Now (AT-F&D) (reset) Dec. 8
0705 Mickey's Strategy (AT-F&D)—McGuire...Dec. 8
0910 The Suitor—RCA-Marc ConnellyDec. 8
0607 Captain of His Roll (AT-F&D) (reset)....Dec. 22

Universal—One Reel

1929-1930 Season

Cohen on the Telephone (AT-F&D)—Sidney....Sept. 2
Race Riot (SF&D)—OswaldSept. 2
Cuckoo—B. RoachSept. 9
The Actor (AT-F&D)—B. Rubin.....Sept. 16
Own a Home—N. Edwards.....Sept. 23
Income Tact (AT-F&D)—B. RubinSept. 30
Going South—N. EdwardsOct. 7
Cold Turkey (S-F&D)—OswaldOct. 14
The Delicatessen Kid (AT-F&D)—B. Rubin.....Oct. 14
Cracked Wedding Bells—C. ResnerOct. 21
Pussy Willie (S-F&D)—Oswald.....Oct. 28
Pop and Sons (AT-F&D)—B. RubinOct. 28
Be My Guest—N. EdwardsNov. 4
Amateur Nite (S-F&D)—OswaldNov. 11
Broken Statues (AT-F&D)—B. RubinNov. 11
The Idea Man—B. RoachNov. 18
Pilgrim Papas (AT-F&D)—B. RubinNov. 25
Snow Use (S-F&D)—OswaldNov. 25
No Parking Aloud—N. EdwardsDec. 2
Hotsy Totsy (AT-F&D)—B. RubinDec. 9
Nuttty Notes (S-F&D)—OswaldDec. 9
So Long Sultan—C. ReisnerDec. 16
Ozzie of the Circus (S-F&D)—OswaldDec. 23
The Rivals—Slim Summerville.....Dec. 30

Universal—Two Reels

Boss of Bar Twenty—W. E. Lawrence.....Sept. 28
The Royal Pair (AT-F&D)—Rooneys (re.)....Sept. 30
Waif of the Wilderness—Bobbie Nelson.....Oct. 5
Watch Your Friends (AT-F&D)—All Star.....Oct. 9
Blue Wing's Revenge—W. E. Lawrence.....Oct. 12
Love Birds (AT-F&D)—Rooneys.....Oct. 14
Man of Daring—Ted CarsonOct. 19
Too Many Women—Sid Saylor.....Oct. 23
A Sagebrush Vagabond—W. M. Steward.....Oct. 26
Marking Time (AT-F&D)—Rooneys.....Oct. 28
The Kid Comes Through—Bobbie Nelson.....Oct. 31
No Boy Wanted—Sunny Jim.....Nov. 6
The Flying Eagle—W. E. Lawrence.....Nov. 9
Border Wolf—Ted CarsonNov. 16
Doing His Stuff—Arthur LakeNov. 20
Red Raymond's Girl—Pete MorrisonNov. 23
Lady of Lions (AT-F&D)—All Star.....Nov. 25
Orphans of the Wagon Trail—Nelson.....Nov. 30
Sunday Morning (AT-F&D)—All StarDec. 4
Between Fires—Edmund CobbDec. 7

CHART OF RELEASE DAYS FOR ALL NEWS WEEKLIES

	Universal News		Pathe News		Fox News		Kinograms		Paramount News		MGM-Int'l News	
	Even	Odd	Odd	Even	Even	Odd	Odd	Even	Odd	Even	Even	Odd
	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.	Rel.
Albany	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Atlanta	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Boston	Sun. 1	Wed. 0	Mon. 2	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Wed. 0
Buffalo	Sun. 1	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Butte	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Tues. 3	Sat. 3	—	—	Tues. 3	Sat. 3	Wed. 4	Sat. 3
Charleston	Mon. 2	Thur. 1	—	—	Sun. 1	Thur. 1	—	—	—	—	Mon. 2	Thur. 1
Charlotte	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Chicago	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Cincinnati	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1
Cleveland	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Columbus	—	—	—	—	—	—	—	—	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Dallas	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3
Denver	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Tues. 3	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3
Des Moines	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1
Detroit	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
El Paso	—	—	—	—	Wed. 4	Sun. 4	—	—	—	—	—	—
Indianapolis	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Jacksonville	Mon. 2	Thur. 1	—	—	Mon. 2	Thur. 1	—	—	Sun. 1	Thur. 1	Mon. 2	Thur. 1
Kansas City	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Los Angeles	Tues. 3	Sat. 3	Sat. 7	Sun. 4	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3
Memphis	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1	—	—	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Milwaukee	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Minneapolis	Sun. 1	Wed. 0	Sun. 1	Sat. 3	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1
New Haven	Sun. 1	Wed. 0	Mon. 2	Thur. 1	Sun. 1	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Thur. 1	Sat. 0	Wed. 0
New Orleans	Mon. 2	Thur. 1	Thur. 5	Fri. 2	Mon. 2	Thur. 1	Mon. 2	Fri. 2	Mon. 2	Thur. 1	Sun. 1	Thur. 1
NEW YORK	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Oklahoma City	Sun. 1	Thur. 1	Wed. 4	Sun. 4	Wed. 4	Sun. 4	Sun. 1	Thur. 1	Wed. 4	Sat. 3	Sun. 1	Thur. 1
Omaha	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1
Peoria	—	—	—	—	—	—	—	—	—	—	—	—
Philadelphia	Sat. 0	Wed. 0	Mon. 2	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Mon. 2	Thur. 1	Sat. 0	Wed. 0
Pittsburgh	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Wed. 0	Mon. 2	Thur. 1	Sat. 0	Wed. 0
Portland, Ore.	Wed. 4	Sat. 3	Sat. 7	Mon. 5	Wed. 4	Sat. 3	—	—	Wed. 4	Sun. 4	Wed. 4	Sat. 3
Portland, Me.	Sun. 1	Thur. 1	—	—	—	—	—	—	Mon. 2	Thur. 1	Mon. 2	Thur. 1
St. Louis	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Salt Lake City	Wed. 4	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3
San Antonio	—	—	—	—	—	—	—	—	Wed. 4	Sat. 3	Wed. 4	Sat. 3
San Francisco	Wed. 4	Sat. 3	Sat. 7	Sun. 4	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3
Seattle	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3	Wed. 4	Sat. 3
Sioux Falls	Mon. 2	Thur. 1	—	—	Mon. 2	Thur. 1	—	—	Mon. 2	Thur. 1	—	—
Vancouver	Mon. 2	—	—	—	—	Wed. 0	—	—	—	—	—	—
Washington	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Wichita, Kans.	Mon. 2	Thur. 1	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Wilkes Barre	—	—	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Winnipeg	Mon. 2	—	—	—	—	Mon. 5	—	—	—	—	—	—

NEW YORK RELEASE DATES OF ALL THE NEWSWEEKLIES

Universal News		Pathe News		Fox News		Metrotone News		Pathe News	
(Sound and Silent)		(Silent)		(Silent)		(Sound)		(Sound)	
93	Odd .. Wed., Nov. 20	96	Even .. Wed., Nov. 20	17	Odd .. Wed., Nov. 20	202 & 203	.. Sat., Oct. 5	82	Even .. Wed., Nov. 20
94	Even .. Sat., Nov. 23	97	Odd .. Sat., Nov. 23	18	Even .. Sat., Nov. 23	204 & 205	.. Sat., Oct. 12	83	Odd .. Sat., Nov. 23
95	Odd .. Wed., Nov. 27	98	Even .. Wed., Nov. 27	19	Odd .. Wed., Nov. 27	206 & 207	.. Sat., Oct. 19	84	Even .. Wed., Nov. 27
96	Even .. Sat., Nov. 30	99	Odd .. Sat., Nov. 30	20	Even .. Sat., Nov. 30	208 & 209	.. Sat., Oct. 26	85	Odd .. Sat., Nov. 30
97	Odd .. Wed., Dec. 4	100	Even .. Wed., Dec. 4	21	Odd .. Wed., Dec. 4	210 & 211	.. Sat., Nov. 2	86	Even .. Wed., Dec. 4
98	Even .. Sat., Dec. 7	101	Odd .. Sat., Dec. 7	22	Even .. Sat., Dec. 7	212 & 213	.. Sat., Nov. 9	87	Odd .. Sat., Dec. 7
99	Odd .. Wed., Dec. 11	102	Even .. Wed., Dec. 11	23	Odd .. Wed., Dec. 11	214 & 215	.. Sat., Nov. 16	88	Even .. Wed., Dec. 11
100	Even .. Sat., Dec. 14	103	Odd .. Sat., Dec. 14	24	Even .. Sat., Dec. 14	216 & 217	.. Sat., Nov. 23	89	Odd .. Sat., Dec. 14
101	Odd .. Wed., Dec. 18	104	Even .. Wed., Dec. 18	25	Odd .. Wed., Dec. 18	218 & 219	.. Sat., Nov. 30	90	Even .. Wed., Dec. 18
102	Even .. Sat., Dec. 21	1	Odd .. Sat., Dec. 21	26	Even .. Sat., Dec. 21	220 & 221	.. Sat., Dec. 7	91	Odd .. Sat., Dec. 21
103	Odd .. Wed., Dec. 25	2	Even .. Wed., Dec. 25	27	Odd .. Wed., Dec. 25	222 & 223	.. Sat., Dec. 14	92	Even .. Wed., Dec. 25
104	Even .. Sat., Dec. 28	3	Odd .. Sat., Dec. 28	28	Even .. Sat., Dec. 28	224 & 225	.. Sat., Dec. 21	93	Odd .. Sat., Dec. 28
1	Odd .. Wed., Jan. 1	4	Even .. Wed., Jan. 1	29	Odd .. Wed., Jan. 1	226 & 227	.. Sat., Dec. 28	94	Even .. Wed., Jan. 1
2	Even .. Sat., Jan. 4	5	Odd .. Sat., Jan. 4	30	Even .. Sat., Jan. 4	228 & 229	.. Sat., Jan. 4	95	Odd .. Sat., Jan. 4
Paramount News		MGM—Internat'l		Fox News		Paramount News		Kinogram	
(Silent)		(Silent)		(Sound)		(Sound)		(Silent)	
32	Even .. Wed., Nov. 20	29	Odd .. Wed., Nov. 20	3 & 4	.. Sat., Oct. 5	10	Saturday .. Oct. 5	5554	Even .. Wed., Nov. 20
33	Odd .. Sat., Nov. 23	30	Even .. Sat., Nov. 23	5 & 6	.. Sat., Oct. 12	11	Saturday .. Oct. 12	5555	Odd .. Sat., Nov. 23
34	Even .. Wed., Nov. 27	31	Odd .. Wed., Nov. 27	7 & 8	.. Sat., Oct. 19	12	Saturday .. Oct. 19	5556	Even .. Wed., Nov. 27
35	Odd .. Sat., Nov. 30	32	Even .. Sat., Nov. 30	9 & 10	.. Sat., Oct. 26	13	Saturday .. Oct. 26	5557	Odd .. Sat., Nov. 30
36	Even .. Wed., Dec. 4	33	Odd .. Wed., Dec. 4	11 & 12	.. Sat., Nov. 2	14	Saturday .. Nov. 2	5558	Even .. Wed., Dec. 4
37	Odd .. Sat., Dec. 7	34	Even .. Sat., Dec. 7	13 & 14	.. Sat., Nov. 9	15	Saturday .. Nov. 9	5559	Odd .. Sat., Dec. 7
38	Even .. Wed., Dec. 11	35	Odd .. Wed., Dec. 11	15 & 16	.. Sat., Nov. 16	16	Saturday .. Nov. 16	5560	Even .. Wed., Dec. 11
39	Odd .. Sat., Dec. 14	36	Even .. Sat., Dec. 14	17 & 18	.. Sat., Nov. 23	17	Saturday .. Nov. 23	5561	Odd .. Sat., Dec. 14
40	Even .. Wed., Dec. 18	37	Odd .. Wed., Dec. 18	19 & 20	.. Sat., Nov. 30	18	Saturday .. Nov. 30	5562	Even .. Wed., Dec. 18
41	Odd .. Sat., Dec. 21	38	Even .. Sat., Dec. 21	21 & 22	.. Sat., Dec. 7	19	Saturday .. Dec. 7	5563	Odd .. Sat., Dec. 21
42	Even .. Wed., Dec. 25	39	Odd .. Wed., Dec. 25	23 & 24	.. Sat., Dec. 14	20	Saturday .. Dec. 14	5564	Even .. Wed., Dec. 25
43	Odd .. Sat., Dec. 28	40	Even .. Sat., Dec. 28	25 & 26	.. Sat., Dec. 21	21	Saturday .. Dec. 21	5565	Odd .. Sat., Dec. 28
44	Even .. Wed., Jan. 1	41	Odd .. Wed., Jan. 1	27 & 28	.. Sat., Dec. 28	22	Saturday .. Dec. 28	5566	Even .. Wed., Jan. 1
45	Odd .. Sat., Jan. 4	42	Even .. Sat., Jan. 4	29 & 30	.. Sat., Jan. 4	23	Saturday .. Jan. 4	5567	Odd .. Sat., Jan. 4

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SATURDAY, NOVEMBER 30, 1929

No. 48

The Propaganda for Affiliation of M.P.T.O.A. and Allied

Statements appearing in the trade press several weeks in advance emphasized the importance of the convention of M.P.T.O. of Ohio, at Columbus. It informed the trade that M. A. Lightman, president of M.P.T.O.A., Charles C. Pettijohn, of the Hays organization, and Abram F. Myers, president and general counsel of Allied States, along with his lieutenants, Al Steffes and H. M. Richey, would be present.

Some trade papers wrote articles suggesting a consolidation of Allied States and M.P.T.O.A., pointing out the benefits that would accrue from such a consolidation.

The convention was held as per schedule, and the speeches made by the other side were all on the tenor of consolidation. Mr. Kent went so far as to tell Mr. Myers that no one approached him with any complaints, and that had any one approached him he would have listened to him and taken appropriate steps. Our old friend Charlie Pettijohn made one of his usual speeches, winking his eye while making it, stating that, if a consolidation were effected, the affiliated theatres would join such of the exhibitor zone organizations as were doing "constructive" work.

Trade paper editors spoke in the same vein.

Through all this policy, Harrison's Reports sees the playing of the old army game. For years the exhibitors tried to get a decent contract and so to reform the arbitration procedure as to make it fair and equitable. At each effort, they met with the procrastination of the Hays forces. When the producers and their representatives saw that the exhibitors were too strong to be placated with half measures, they took steps to disrupt the organization. And they succeeded so well that they went so far as to cause a resolution to be passed admitting distributors and producers into its ranks.

Some exhibitor leaders, among whom were Al Steffes, of Minnesota, H. M. Richey, of Michigan, and H. A. Cole, of Texas, tried desperately to make the independent exhibitors see the danger to their interests. Mr. Steffes realized that only an outside leader, with prestige, reputation and ability, could save the situation. He cast his eye around and saw Mr. Abram F. Myers. Mr. Myers created such a strong impression among the exhibitors at the Trade Practice Conference as to his fairness, ability to understand the exhibitor problems, and his intelligence, that when he proposed his name to his associates they agreed unanimously that Mr. Myers was the man.

Mr. Myers took charge of the exhibitor affairs and in a short time he has been able to form a strong national organization. Only persons with a knowledge of what he was up against can realize what a task it was for Mr. Myers and his aids to bring the Allied States to its present strength.

Up to this time the producers put every obstacle they could in his way of success. They pretended that they did not even notice his presence. But this did not prevent him from forging ahead.

When the producers realized that silent war would not arrest the progress of Allied States, particularly when they found out that Mr. Myers grew, with each passing month, in the affection and esteem of the independent exhibitors because of their realization that in him they at last have found the man, they resorted to the old tactics; they are proposing an affiliation between a purely independent exhibitor organization and an exhibitor organization that is supported by them, which consists either of affiliated exhibitors or of independent exhibitors that are friendly to them.

Now, an affiliation such as this is unnatural, and it is a foregone conclusion that a man of Mr. Myers' intelligence will reject it. This they undoubtedly know, but they are, in the opinion of Harrison's Reports, proposing it so that when Mr. Myers rejects it they may tell the exhibitors that

he is not constructive, that he is a rebel, their object being to discredit him.

What is there to consolidate?

Nothing! Today M.P.T.O.A. does not represent the interests of independent exhibitors; it is a producer organization heart and soul. And it is controlled by the producers and distributors, who foot its bills. M.P.T.O.A. has no revenue except that which comes from the affiliated theatres. If Mr. Myers were to accept their suggestion and permit an affiliation of Allied States with it, the combined organization, whether it is called Allied States, M.P.T.O.A., or any other name that may be chosen for it, would cease to represent the interests of the independent exhibitors.

Attempts will be made to convince you that the combined organization would serve the interests of the entire industry better. But let me tell you that there is no community of interests between affiliated and independent exhibitors, except in certain local matters, such as state legislation. But it is not necessary for the independent and the affiliated exhibitors to belong to the same organization to fight such legislation. If, for example, a ten per cent tax bill were introduced in your state, can you conceive of a situation where the affiliated exhibitors would refuse to join hands with you to fight such a bill?

The producers, in proposing an affiliation of Allied States and M.P.T.O.A., are not sincere; their main object seems to be to destroy Allied States, which is showing a dangerous strength for them. They want to be "in," so that they may control it by the political manipulation of the Hays forces, so familiar to you. Nothing good can come out of such an affiliation. Nothing good has so far come out from their having gained control of M.P.T.O.A. Have you got a better contract? Fairer arbitration? No! The producers have had several years in which to give you these but they flatly refused to do it. How can you hope that they have now changed heart?

Harrison's Reports does not know what Mr. Myers is going to do, but in its opinion your interest can be served better if you become strongly organized without the help of the producers and distributors. Charles C. Pettijohn offered to subsidize your organization. He said at Columbus that the affiliated theatres will, if a consolidation were effected, join such of the local exhibitor organizations as are doing "constructive" work (as obey the dictates of the producers). You should reject the veiled bribery forthwith, and redouble your efforts at becoming strongly organized. For several months after Mr. Myers became the leader of Allied States, no producer paid any attention to him. Only because his membership began to swell up that they have noticed his presence. And they will notice it still more if, instead of only thirty-one states, all the states in the Union joined Allied States. Mr. Myers could then demand of the producers respect for your rights.

"CONN'S OLYMPIA THEATRE

"Providence, R. I.

"November 16, 1929.

"Mr. P. S. Harrison,

"New York, N. Y.

"My dear sir:

"I hasten to write you and to inform you that on Tuesday, November 12, a meeting of the New England Exhibitors was held at the Elks Hotel, in Boston.

"Very favorable comment was made on HARRISON'S REPORTS. Many exhibitors were so enthusiastic that they recommended the cancelling of all other publications, and only read yours. The writer, being one of your strongest supporters, was naturally very pleased at the conclusion of the meeting.

"Sincerely yours,

"JACOB CONN."

**"Her Private Life" (100% T-D) with
Billie Dove**

(*First Nat.*, syn. 6,497 Aug. 25; *sil.* 5,789 Oct. 6)

Fair, but whatever entertaining values it has, they have been imparted to it by the good acting of Miss Dove. The story is not very interesting. It deals with a heroine, British noblewoman, who married a rude man, and a drunkard. She invites a young American (hero) and his sister to call on her and to stay as her guests. She falls in love with the hero, but she is true to her husband. Her husband catches the hero in what he thinks an act of cheating at cards and orders him to leave his house. The heroine, incensed at what she thought an injustice to her guests, demands of her husband that he apologize publicly, threatening to leave him if he should refuse to do so. The husband is compelled to apologize. Shortly afterwards the heroine sees the hero's sister, while playing cards, touch the hero's foot with her foot, and thinks that the hero was guilty of cheating. She is heart-broken and orders the hero and his sister to leave the house. The hero's sister, who had stolen from her brother's suitcase a love letter the heroine had written to him, dares her to put her out. The heroine grabs the letter and hands it to her husband. This eventually leads to a break up of their home, by becoming divorced. The heroine goes to America. She pawns one jewel after another until she is left penniless. And yet she refuses the sincere proposals for marriage of a wealthy American, who years before had met her in London. Just as when she accepts his proposals, the hero again comes into her life. Before she learned of his presence, she attempts to commit suicide because she misinterpreted the request of the wealthy American to release him from his promise to marry her. She throws herself in front of an automobile but she is not injured seriously. When she opens her eyes she finds the hero and learns that he had not been a cheat; he had refused to make any explanations so as to hide the guilt of his sister.

The plot has been founded on the stage play by Zoe Akins. Alexander Korda has directed it. Walter Pidgeon is the hero, Thelma Todd his sister, and Holmes Herbert the wealthy American. The sound is pretty good. (Time, 72 minutes. Silent values, fair.)

**"Senor Americano" (100% T-F&D) with
Ken Maynard**

(*Univ.*, Nov. 10; syn. F 6,450 ft.; D 6,592 ft.)

A nice Western picture, of about the same quality as other pictures in which Mr. Maynard has appeared lately. There is some fast action, suspense, and some human interest. In addition, there is some pretty good singing and other music.

The action unfolds in the days when California was declared United States Territory. The hero is shown to be a representative of the United States Government, sent to California to investigate conditions, and to learn the sentiment of the people. The villains, who were bent upon stealing the land of the Spaniards, find him dangerous to their plans and attempt to murder him. He escapes from their hands and goes to Washington at the call of officials, but he returns to California bringing with him the proclamation that made California a territory. On his way back, he is held up by the villains,

who wanted the papers, so as to prevent any one from interfering with their plans, but the hero eventually triumphs. He also wins the heroine, daughter of an aristocratic Spaniard, as a wife.

Helmer Bregman and Henry McCarty wrote the story, and Harry J. Brown directed it. Kathryn Crawford is the heroine. Gino Corrado, J. P. McGowan, Frank Yaconelli, Frank Beale, and Mr. Maynard's horse Tarzan are in the cast. The tone quality was very poor at the New York Theatre, where it was shown, although the acoustics of that theatre are good; the sound was most of the time "hoarse." (Time, 67 minutes. Silent values, pretty good. Length of silent version, 5,418 ft.)

"The Show of Shows" (100% T-D)

(*Warner Bros.*, rel. date not yet set; 13,464 ft.)

Those who like musical comedy plays should enjoy "The Show of Shows" well. Those who seek dramatic entertainment, may not enjoy it so well. The picture has been produced most lavishly, the color scenes are beautiful, and the songs melodious. But there is no plot. The picture consists of a large number of acts, each actor or group of actors appearing in a different part. There are more than forty actors in it, among them being John Barrymore, Dolores and Helene Costello, Lila Lee, Sally O'Neil, Marian Nixon, Frank Fay, Jack Mulhall, Noah Beery, Tully Marshall, Louise Fazenda, Monte Blue, Winnie Lightner, Nick Lucas, Myrna Loy, Chester Conklin, Douglas Fairbanks, Jr., Betty Compson and many others. Frank Fay is comical as the master of ceremonies, his comedy being of high order.

The picture has been produced under the supervision of J. L. Warner, John Adolph, and Darryl F. Zanuck. The sound reproduction is only fair, the talk being mostly dull. (Time, two hours. No silent values.)

"The Sacred Flame" (100% T-D) Lila Lee

(*Warn. Bros.*, Nov. 30; syn. 6,015 ft.; *sil.* not set)

This is horrible! It shows a mother murdering her crippled son, so as to save her daughter-in-law from an unnatural life, and her son from losing his wife's love. In "Sorrel and Son" a son murdered his father, but that was different; he murdered him to put an end to his great suffering from an incurable disease. In this picture, the son is not shown suffering from any pains; the spectator is told that the hero was suffering from pains only by subtitles, which is not convincing, because no suffering is shown on his face. The New York Censors applied the scissors liberally; so liberally, in fact, that where Pauline Frederick, who takes the part of the mother, is shown telling how she had poisoned her son, and why she did it, the talk has been eliminated. There is hardly any redeeming feature in it. On the contrary, there is other unpleasant action. For instance, a brother is shown falling in love with a brother's (the hero's) wife.

The plot has been founded on Somerset Maugham's play. It was directed by Archie Mayo. Conrad Nagel is the crippled hero. William Courtenay, Alec B. Francis, Walter Byron, and others are in the cast. The sound reproduction is fair. (Time, 60 minutes. Silent values, poor.)

NOTE: It may pay you to lay this picture on the shelf.

"The Love Parade" (100% T-F&D) with Maurice Chevalier and Jeanette McDonald
(*Param.*, Feb. 1, (1930) ; syn. 10,622 ft.)

Undoubtedly "The Love Parade" will prove one of the year's successes. And it will deserve it, for from the point of direction and acting, one can point out few pictures that will equal it. It is a mixture of musical comedy, a Graustark sort of plot, and drama, in which Maurice Chevalier is given an opportunity to prove conclusively that he is a talented actor. He is a cheery sort of fellow, always with a smile, and with a happy countenance. His acting is as good as are his looks. The picture does another thing—it brings out Miss Jeanette McDonald, a musical comedy actress. She possesses an excellent voice, and it is put to good use. In addition, she is a pretty woman, and the camera does justice to her. Some of the situations are pretty broad, but they have been handled by Ernst Lubitsch with a more delicate hand than he handled the situations in "Marriage Circle," the picture he produced for Warner Bros. several years ago with Adolphe Menjou. Every one in the audience will know what the characters are driving at, but not many will be offended, because of the high class way in which the lines have been handled.

The story deals with a hero, a count, military attache at the Paris Embassy of a fictitious European Kingdom (Sylvania) in Paris, who is ordered to return home because of his too many affairs with women. He reaches home and reports to the Queen, unmarried and beautiful. The Queen becomes fascinated with his looks. She reads with interest the secret report about his affairs with women in Paris and she prescribes the following punishment for him: He is to report for dinner that same evening. Their first meeting leads to others and eventually to marriage. The hero, as the Prince Consort, has nothing to do except to look after the Queen. But he chafes under his inactivity, and rebels at being a figurehead. The Queen threatens to have him confined to the Palace. Unable to bear it all any longer, he tells the Queen that he has decided to leave for Paris. The hero eventually tames her, becoming the master of his house, much to the satisfaction of the Sylvanians, with whom he had become popular.

Ernest Vjda and Guy Bolton wrote the plot. Lupino Lane, Lillian Roth, Edgar Norton, Lionel Belmore, Albert Roccardi, Carlton Stockdale, Eugene Pallette, and Russell Powell are in the cast. The sound reproduction is good, the lines being clear. The music is melodious. The following songs are sung: "Dream Lover," "Everything for the Queen," and "The Love Parade." (Time, 106 minutes. Silent values, pretty good.)

"Nix on Dames" (100% T-F&D)

(*Fox*, Nov. 24 ; syn. 6,071 ft.; sil. not yet determ.)

"Nix on Dames" is as much at home at the Roxy Theatre as is a farmer with boots on at a society reception. It is one of those pictures that should have been thrown into a lake rather than shown in any theatre. It is about two acrobats, partners and chums for years, who fall in love with the same girl. They quarrel, and their friendship is about to end, when each thinks of the years that he had been with the other. One of them gives way to the other and the story ends happily. But there isn't enough

material for a picture of feature length, and what is shown is not more than passingly interesting. The padding tires one. Robert Ames and William Harrigan do well in a mediocre story. Mae Clark, too, does well. There are many more actors in the cast but none of them is very familiar to the picture-going masses.

The plot has been founded on a story by Maude Fulton. The picture was directed by Donald Galaher. The sound reproduction is pretty good, the lines being fairly clear. (Time, 65 minutes. Silent values, poor.)

NOTE: It may pay you to lay this picture on the shelf.

"Wall Street" (100% T-F&D)

(*Columbia*, Dec. 1 ; syn. 6,200 ft.; sil. not set)

A surprisingly interesting and appealing picture, even though the title is trite. The part Mr. Ince, who is the hero, acts is similar to the parts usually given to George Bancroft. He is the steel mill boy, who rose to be a millionaire and a power in Wall Street. The heroine, a society woman, wife of a rival of his, thinks him uncouth and unpolished in manners. Her husband commits suicide when the hero brings about his financial ruin. The hero, who had once met the heroine and had become attracted by her beauty, calls on her to offer his regrets and to express his admiration for her. He proposes to her, but she considers his proposal an insult. At the advice of a friend of her husband's, however, she encourages him, with the object of bringing about his ruin, just as he had brought about the ruin of her husband. She succeeds, but she finds out that she loves him and accepts him as a husband.

Most of the human appeal is caused by Master Freddie Burke Frederick, a charming little boy, about six years' old, who takes the part of the son of the heroine. He acts as a finished actor and awakens the spectator's sympathy from the very beginning. It is the friendship that develops between the hero and this little boy that fill the picture with human interest.

Jack Kirkland and Paul Gangelin wrote the story, and R. William Neil directed it. Mr. Neil's directorial work is excellent. Aileen Pringle is the heroine; and she is a good one. Sam de Grasse, Philip Strange, Ernest Hilliard, James Finlayson and others are in the cast. The sound reproduction is good. (Film version shown. Time, 66 minutes. Silent values, excellent.)

THE REASONS THAT HAVE PROMPTED MR. HAYS TO SUSPEND ARBITRATION

The trade papers announce that arbitration has been suspended in all the zones, but they do not give the cause. Here are the facts.

Mr. Gabriel Hess, after Judge Thacher rendered his decision against the contract and the arbitration rules, sent a bulletin to the secretaries of the film boards advising them to apply the arbitration penalties on exhibitors that are members of the local exhibitor organizations, but not on non-members.

As a result of these instructions, the Pittsburgh board applied the penalties on an exhibitor. The organization, however, entered a complaint with the Department of Justice, which ordered immediately a grand jury investigation.

A CORRECTION

The following telegram has been received by this office from Mr. John Barrymore, the renown stage and motion picture star.

"My dear Mr. Harrison: In your REPORTS of November sixteenth you state: 'Warner Bros. pictures have just announced that its contract with Miss Dolores Costello has been canceled by consent of both parties.' I am wondering if this might possibly give an erroneous impression regarding my wife's present status with Warner Brothers. As you have perhaps noticed from the press reports we happily are expecting an addition to our family and it was this fact which decided the Warners and ourselves to suspend the contract until February and "suspend" is the word that is used in the agreement. As one of your subscribers I should appreciate your courtesy in publishing this statement as Miss Costello intends resuming her professional career in the early part of next year."

Harrison's Reports is only too glad to publish Mr. Barrymore's telegram, and thus correct any erroneous impression that may have been created by the article Mr. Barrymore refers to, not by a fault of its own; the information was obtained from a letter Warner Bros. wrote to an exhibitor subscriber. The words the Warner letter used were "canceled by consent of both parties."

The suspension of the contract between Miss Costello and Warner Bros. naturally suspends all contracts between exhibitors and Warners. In other words, Warner Bros. are obligated to deliver as many Dolores Costello pictures as they sold you.

The fact that they will produce "Fame" without Miss Costello does not abrogate your rights to any of the Costello pictures. You are not obligated to accept "Fame" without Miss Costello.

The value of the Dolores Costello pictures because of the happy event Mr. Barrymore mentions is now greater; the American people will love Miss Costello even better as a mother.

MR. MYERS' STATEMENT ON THE COLUMBUS CONVENTION "TEN THOUSAND EXHIBITORS CAN NOT BE BRIBED!"

"C. C. Pettijohn of the Hays Organization sounded the only discordant note in what was planned to be a harmony banquet at the meeting of the Ohio exhibitors in Columbus, November 10th.

"Mr. Pettijohn declared that the affiliated theatres representing fifty-one per cent of the seating capacity and seventy per cent of the business, for which he spoke, would adopt the policy of joining and paying dues to such State associations as were deemed to be constructive.

"The manner in which this declaration was made, the lowered voice, and the grimaces all made it plain that he did not regard organizations affiliated with this Association as constructive. Moreover, the ground work was laid by the obliging Maurice Kann of the Motion Picture News in the preceding speech and the affiliated theatres in Ohio had a short time previously, of their own motion, solicited membership in the Ohio organization.

"The full purport of Mr. Pettijohn's statement is that a wholesale effort will be made to bribe local associations into subservience to the Hays Organization by producer money and to exercise a control over the actions and a censorship over the speech of such associations by the ever present threat of withdrawal.

"The only criticism of association activity expressed by Mr. Pettijohn and Mr. Kent was the public discussion of industry troubles. It must be apparent that this resulted from the fact that there has been no point of contact for the free discussion of such problems with the producers. A complete and final rift between the producers and the exhibitors was saved only by the statesmanlike utterances of Mr. Kent of Paramount which in all except the strictures on the Allied Association met with a hearty response on the part of the exhibitors.

"Events will prove that ten thousand exhibitors can not be bribed and that when harmony is restored, as it should be, it will be on the basis of understanding and cooperation, not force."

PLAYING MUSIC WHILE THE CHARACTERS TALK

Mr. Russell Armentrout of K. P. Theatre, Pittsfield, Illinois, writes as follows:

"We note with interest your statements in your issue of November 9th regarding sound-on-film and sound-on-disc. . . .

"Warner Bros. could improve their disc recording a hundred per cent on a straight talking picture if they would eliminate the musical background, which detracts from the picture. Imagine how a straight stage show would sound if the orchestra were to play during the entire show either from the pit or from behind the wings."

* * *

Mr. Armentrout has touched upon a very bad producer practice. Not only Warner Bros. but other producers are resorting to this.

As said in one of the Sound articles, which were published last fall, the medical science has found out that the brain is divided into many brain centres, each brain centre performing a certain function. Words are, for example, memorized by one brain centre, numbers by another, music by another, faces by still another, and so on. It has found out also that two brain centres cannot function at the same time. For instance, if one person were to speak numbers to you and another person words at the same time, you could not grasp both; you have to concentrate your attention only on the one at the sacrifice of the other.

Accordingly, when music is played and words are spoken at the same time, the mind cannot grasp both; it must centre itself either in the one or in the other, and as the desire of the spectator-auditor is to grasp the words, the music becomes annoying.

While many producers have resorted to this bad practice, the producers of Warner Bros. pictures have been the worst offenders. One cannot say that they do not know that it is annoying, for they have had much experience in such matters. The only explanation one can make of it, therefore, is that it is their desire to hide the ground (surface) noise caused by the friction between the needle and the disc. But there is not a single picture-goer but will prefer the ground noise to the annoyance caused by the playing of music, for no matter how bad the ground noise may be it can never be as annoying as the music that is played when the characters are talking.

THE SEVENTH ARBITRATOR'S RULING IN THE CASE OF ANTHONY P. JIM

You have read in the trade papers, I believe, the facts of the case of Vitaphone vs. Anthony P. Jim, of Pittsburgh, in which the seventh arbitrator declared that Vitaphone, Inc., and Warner Bros. Pictures, Inc., are two different corporations, and therefore Vitaphone is not obligated to approve its contracts for score just because Warner Bros. approved the contracts for the pictures.

Knowing how incorrectly the trade press often state a case, I asked Mr. Jim to give me the facts. Here is what he replied by a telegram:

"Vitagraph case arbitrated against me principally because seventh arbitrator considered letter of Vitagraph contract and disregarded moral issues in connection with contract. Facts in case as appeared in trade papers misleading. Pictures prices, score prices, and contracts thereto agreed upon on same desk, in same office. Picture contract was approved and score contract was rejected. If no contract had been taken on scores then my case would be as indicated by press reports. But as score contracts were signed and rejected I have decided to disregard arbitration decision and go to court for justice."

There isn't a fair-minded person in the motion picture industry, be he an exhibitor, a distributor, or a producer, but will agree that Mr. Jim is right. He signed the score and the picture contracts at the same time and on the same day but Warners held him to their contracts for the pictures although Vitaphone rejected the contracts for the score; and had he not decided to resort to the courts for justice, Vitaphone might have asked more money for the score than Warners charged for the picture.

That the seventh arbitrator's decision is unfair may be judged by the unnatural situation that would have been created had Warner Bros. rejected the picture contracts and Vitaphone approved the score contracts.

Warner Bros. have over-worked the "two separate companies" gag. But so long as they are working it, you had better take care to insert into the Warner contract the following provision: "The acceptance of these contracts to depend on the acceptance of the contracts for score"; and on the Vitaphone contracts, "The acceptance of this contract to depend on the acceptance of the contracts for the pictures."

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More Evidence Proving the Hays Organization a Trust

At the Columbus convention, Charles C. Pettijohn said from the floor: "I have decided that, beginning January 1st, I shall cause the affiliated theatres to join such of the local exhibitor organizations as are engaged in constructive work. I think my meaning is plain, but if it is not, I will amplify it on the floor at tomorrow's meeting or at any other time or place."

The following morning, William James proposed that a private meeting be held in his room, between Myers, Pettijohn, Lightman and himself. Mr. Myers said that, if he would take part in that meeting, he could not speak for Allied States because the organization had a board of directors, which had to be consulted in any official talk. Pettijohn replied that that was just the trouble when there was a board of directors to consult. "I am all prepared," he said. "I have authority to speak."

At the night of the banquet, he made a speech, which he started as follows:

"The exhibitor quarrel between these two national groups is the exclusive quarrel of these two groups and none of my business. I do undertake tonight, however, to state frankly and openly the position and attitude of the so-called affiliated theatres with reference to exhibitor organization, as that might prove to be of interest to the leaders of both national organizations who are assembled and present here tonight.

"The affiliated theatres of the United States, approximately 4,000 in number, (and they are all pretty good theatres) wherever they are located, irrespective of the companies with whom they are affiliated, desire to join and support enthusiastically in every proper way, each and every one of the local exhibitor organizations in the United States where they are honestly and sincerely officered by men who are concerned first, with the solution of exhibitors' problems.

"Representing these affiliated theatres, I suggest that exhibitor organizations should be by distributing zones, so that there may be an exhibitor organization in each of the recognized thirty-two distributing zones, comprising the membership of all affiliated and so-called independent theatre owners with purposes in common and ambitions alike for constructive service to the industry.

"There is an immediate necessity for all branches of this business and all factions of all branches to get together, study each other's problems as well as their own and build a united industry front. The necessity is brought about as much by strife within the industry as from attacks from without."

* * *

That Charlie Pettijohn spoke for Mr. Hays and for the members of his organization, there isn't the least doubt in the mind of those who were present at Columbus or who will read in this article what Pettijohn said. It is necessary for you to bear this in mind, for only thus can you realize the significance of his statements and remarks.

Charlie Pettijohn said that he spoke for the affiliated theatres, and as representative of these theatres, he had decided to cause them to join such of the local exhibitor organizations as are doing constructive work. What he really meant is that he has decided to cause the affiliated theatres to join such of the local exhibitor organizations as will take orders from Mr. Hays. In the same breath, however, he told the Department of Justice, indirectly, that the producers are working together to break up the independent exhibitor organizations, and that, by wielding that power, he, that is, Charlie Pettijohn, or Will H. Hays, it is immaterial which one of the two, can succeed in doing it.

I have been informed reliably that the attention of the Department of Justice has been called to these utterances.

And this time the producers cannot evade responsibility, for, although it was Pettijohn that made these statements, it was they that had made them through him. The fact that they did not deny them, although over three weeks have elapsed, proves most conclusively that Pettijohn spoke with their knowledge and consent.

Couple these utterances with the activities of Gabriel Hess in relation to the film boards of trade after Judge Thacher rendered his famous decision against the contract and the arbitration system, and you will realize in what a hole are the producers. Gabriel Hess attempted to interpret Judge Thacher's decision his own way. Because Thacher said: "That such coercive restraint upon commercial freedom of an exhibitor who was neither represented nor consulted with reference to the agreement to adopt the standard form of contract is undue and unreasonable both at Common Law and under the Sherman Act, I cannot doubt," Hess felt that, since those of exhibitors that are members of local organizations delegated their powers to the officers of their organizations, they were parties to the agreement, and therefore arbitration penalties applied on them were not in violation of the letter or of the spirit of Judge Thacher's decision, and so instructed the secretaries of the film boards of trade.

I am not going to discuss whether Hess was right or wrong in so interpreting that part of Judge Thacher's decision. This I expect to do next week, when I hope to have in my possession copies of the circulars he sent to the film board secretaries. What I want to do now is to call your attention to this fact: At the hearing before Judge Thacher, Mr. Hess denied that he controlled the film boards of trade or that he attempted to influence their actions. At the examination before trial in the McKeesport case, which was in charge of Oliver K. Eaton, that fire-eating Pittsburgh lawyer, attorney for the exhibitor organization, Gabriel Hess denied that he controlled the film boards of trade or that he influenced their actions. And yet he writes a circular to the film board secretaries instructing them what to do. When Anthony Jim, of Pittsburgh, made a complaint to the Department of Justice because the film board, complying with Hess' instructions, applied on him the penalties prescribed in the arbitration rules and the Attorney General sent a special prosecutor to Pittsburgh to carry on a secret Grand Jury investigation for the purpose of indicting those that violated the court's anti-arbitration decision, and the Hays organization decided to suspend arbitration immediately, we see Gabriel Hess again coming forward with an order to the film boards to suspend arbitration. Is there a more convincing proof that the Hays organization controlled the arbitration boards? And is there a greater evidence that the Government could get to prove to the courts that the very existence of the Hays organization is in violation of the anti-trust laws?

I have been informed reliably that this matter, too, has been brought to the attention of the Department of Justice.

* * *

Let us now discuss Pettijohn's utterances as relate to you directly. He said that he is not interested in the quarrels between the two national exhibitor groups, Allied States and M. P. T. O. A., implying that there is a quarrel between them. This is false and misleading, for, as far as Allied States is concerned, there is no quarrel with any one except with the producers and distributors, who deny you the right to live. What Pettijohn refers to as a quarrel is an artificial quarrel, created by Pettijohn himself, with the purpose of weakening Allied States. M. P. T. O. A. is not an independent exhibitor organization, and therefore Allied States can have no quarrel with it. By the same token,

(Continued on last page)

"Untamed" (100% T-F&D)—with Joan Crawford

(MGM; Nov. 23; syn. 7,911 ft., sil. not yet determ.)

Pretty good! Miss Crawford's excellent acting makes this romantic melodrama full of suspense and comedy; even though many of the situations are inconsistent; they are entertaining. Ernest Torrence, as the heroine's Scotch guardian, who had promised her dead father he would take care of her, is good. Robert Montgomery, as the hero, is adequate. Sympathy is aroused for him in his desire to refrain from marrying the heroine because he is poor and she immensely wealthy:—

The heroine, a girl of primitive passions, raised in the jungles of South America, is brought to New York. On the boat she meets the hero with whom she falls violently in love. She meets him again in New York and learns that he loves her too. She does everything in her power to make him and her uncle agree to their marriage and eventually succeeds.

The scenes on board the boat bringing her to New York are mirth provoking on account of her persistence in making the hero love her. She even beats up a possible rival. The scenes at her party where she meets the hero after a long separation are mildly suspenseful as is the situation in which the hero wins a bout held on the dance floor during the party; when an admirer of the heroine had made unkind remarks about him, the hero proves to the heroine that he was able to fight for her. The most dramatic situation is the scene where the uncle fails to buy off the hero, pretending that it is the heroine's idea; she sees him leaving the house with his former sweetheart and shoots at him. After his recovery, everything is straightened out and he is given a good job by the uncle, to make him independent.

Others in the cast are Gertrude Astor, as the rival on the boat, Gwen Lee as the hero's former sweetheart, Holmes Herbert, as the younger guardian, also in love with the heroine, John Miljan as the heroine's drunken father, Edward Nugent and Don Terry.

There are many drinking scenes. The sound reproduction is good and Miss Crawford's voice is very pleasing.

Jack Conway directed it well from the story by Charles E. Scoggins. (Time by watch, 90 min. Silent values, good.)

"The Racketeer" (100% T-F)

Pathe, Nov. 9; syn. 6,119 ft.; sil. not yet determ.)

Very good. It is a bootlegger story, in which the chief bootlegger (Robert Armstrong) is somewhat a hero. He awakens much sympathy by fine characterizations. He is not the despicable kind. The action unfolds mostly in nice environment, for the hero mixes in fine society, and he himself is polished. The spectator is held in pretty tense suspense through most of the action. There is also a sympathetic love affair, even though the heroine, whom the hero loves, had deserted her husband and had followed a musician.

The hero meets the heroine under peculiar circumstances: while about to enter his home, he notices that a policeman nearby was steady up a musician who appeared to be intoxicated. The hero approaches the policeman and, placing a bill into the drunken musician's pocket, tells him that he cannot arrest for vagrancy a man with a fifty dollar bill in his possession, winking his eye. Shortly a taxicab drives up and a woman (heroine) exits. When she sees the drunken musician she makes a sudden exclamation, rushes to him, takes him into the taxicab, and drives away. A day or two later the hero happens to be a guest at a society party, playing poker. The heroine enters and is invited to play poker. During the game, the hero catches her cheating but he shields her. He has one of his men follow her. He immediately calls on her. She misinterprets his call but he assures her that he has no ulterior motive in mind. The heroine shows resentment and indicates that she should be happy if he left. She is called to the room by a sick man, who happens to be the drunken musician of the day before. The sick man asks the heroine to telephone for a friend of his, supposedly a doctor. The supposed doctor calls, and the hero recognizes him as a bootlegger. When the musician hears that the bootlegger had called, he rushes out and begs him to let him have some liquor. The hero punches the musician on the jaw and takes him to his bed, he then orders the bootlegger to leave and never again to attempt to sell him any liquor. The heroine, becoming satisfied of the hero's good motives, accepts his help. He takes her and the derelict to his palatial home, where she nurses him back to health. The hero learns from the heroine that she had left her husband and had followed

the musician, because she loved him, but became separated when he took to drinking. The hero falls in love with the heroine. She encourages him out of gratitude. But when the musician becomes well again, the old love comes back to her. She tells the hero that, thankful as she is for what he had done for her, she could not marry him because she loved the musician. A murder is committed by the hero's men and policemen call on the hero. One of the hero's men attempts to shoot, but the hero grabs his hand and prevents him from shooting the policeman. The bullet, however, strikes him and wounds him mortally. He dies in the heroine's arms. This leaves her free to marry the musician.

The plot is founded on a story written by Paul Gangelin. It was directed by Howard Higgin. Robert Armstrong acts well as the racketeer-hero. Carol Lombard is a good heroine. Roland Drew, Jeanette Loff, John Loder, Paul Hurst, Winter Hall, Kit Guard, Hedda Hopper and others are in the cast. The sound reproduction is excellent. (Time, 66 minutes. Silent values, good.)

"Tanned Legs" (100% T-F&DN)

(Radio Pictures, Nov. 10; 6,377 ft.)

A fair program picture, interesting in some spots, but dull in most spots. There is some human interest here and there.

The story revolves chiefly around the love affairs of the members of an entire family. The youngest sister overhears her elder sister demanding some love letters from a man, member of the club, but really a blackmailer, and enters his room at night to take them away and thus to save her sister from embarrassment. She is caught by the blackmailer ransacking his room. He guesses what she was looking for but tells her that he has the letters on his person. He attempts to be gay with her but she outwits him and makes a getaway through the window, from where she had entered. While returning to her room by walking on the ledge, she is seen by her sister and by men members of the club and the worst construction is put on her presence in the villain's room. The sister informs their parents of it and she is reprimanded. But she does not divulge what prompted her to enter the villain's room, preferring to let them think ill of her rather than expose her sister. She asks a friend of hers to get possession of the letters. The friend plans a fake hold-up and gets the letters, which she hands to the young sister. The young sister then calls the family together, and gives each one a lecture, as he or she deserved it. She then hands the letters to her sister.

Arthur Lake, June Clyde, Dorothy Revier, Ann Pennington, Albert Gran, Allen Kearns, Sally Blane, Edmund Burns, Lincoln Steadman, Nella Walker and others are in the cast. The sound reproduction is good. (Time, 68 minutes. There will be no silent version.)

"The Shannons of Broadway" (100% T-F&D)—with James and Lucille Gleason, and Mary Philbin

(Universal, Dec. 8; film version 6,155 ft.; 68 min.)

Just a program picture, even though the acting of the Gleasons, well-known stage players, is excellent. The play ran on Broadway for quite a long time, but evidently the material was not so extraordinary for talking picture purposes. All the action unfolds in a country town, where the Shannons, vaudeville players, resign after a fight with their manager and, while planning to leave for New York, change their minds and buy a hotel. The hotel had been run down by the former owner but they expected to make it a financial success. All their efforts, however, go to nothing. They decide to sell it to the wealthy father of a young man, in love with the daughter of the former hotel owner. Just as Mr. Shannon had left the hotel to go to the wealthy man's home, the representative of a big company comes to the hotel and offers to Mrs. Shannon to buy the hotel for twenty-five thousand dollars. Mrs. Shannon rushes to the wealthy man's home but finds her husband gone. She rushes back to the hotel but a little too late, for her husband had already accepted a check for \$4,000 and had turned the lease over to the wealthy man. The wealthy man's son, however, knowing that his father had taken unfair advantage of the Shannons, and being unable to stand the injustice, exposes him and forces him to turn the lease back to them. They then sell it for \$25,000.

The plot has been founded on the stage play by the Gleasons. Emmett Flynn directed it. The sound reproduction is fair. (Time for the film version, 68 minutes. Length for the disc and the silent versions have not yet been determined.)

"The Vagabond Lover" (100% T-F&DN)

(Radio Pictures, Nov. 24; 6,217 ft.)

The story material of "The Vagabond Lover," which presents Rudy Vallee in pictures for the first time, is fairly interesting. The production of it, however, is remarkable. The recording is marvellous; the voices sound natural, the sound is free from resonances, and every word spoken is understood without any strain. It is almost unbelievable that sound recording has reached such a stage of development. The story holds one's interest fairly tensely all the way through. One's sympathy is awakened for the principal players. Mr. Vallee is pleasing in his part, and his singing is melodious. The music sounds as if issuing from the instruments themselves and not from the loud speakers. As to the acting, Marie Dressler makes a decided hit. She should keep all audiences in roars. It is doubtful if she has ever appeared to better advantage.

The story deals with a hero, who had taken a course at a saxophone correspondence school, conducted by the famous Ted Grant. Getting together other students, he makes up an orchestra. But no one will hire them and the hero induces his comrades to call on Ted Grant, as he believes that if Mr. Grant could only hear them play he would realize what remarkable players they are and will hire them. They call on Mr. Grant but he will not receive them. Accompanied by his publicity agent, Grant leaves for town. The hero does not notice him depart and, being determined to get an audience, enters the house with his men through the back door. A neighbor (Marie Dressler) notices them and, taking them for burglars, notifies the police. An officer calls and one of the musicians, in order to prevent their arrest, introduces the hero as Mr. Ted Grant. The niece of the woman becomes attracted by the looks of the hero. Her aunt invites the hero and his band to play at her benefit performance for the orphans.

More complications arise, during which the hero is shown as being in danger of arrest as an impostor. But everything turns out well in the end. He and his orchestra make a hit, is befriended by Ted Grant, and explains to the heroine everything, winning her as a wife.

The plot has been founded on a story by James A. Creelman, Jr. Marshall Neilan directed it. Sally Blain is a good heroine. Some of the others in the cast are Charles Sellon, Norman Peck, Danny O'Shea, Eddie Nugent, Nella Walker, Malcolm Waite and Allen Roscoe. (Time, 71 minutes. There will be no silent version.)

"Hearts in Exile" (100% T-D)—with Dolores Costello

(Warner Bros., Nov. 26 [pre-release date, Sept. 14])

A pretty good drama. There is considerable pathos in it, and the spectator is held in pretty tense suspense.

The story unfolds in Russia and shows the heroine, daughter of a fisherman, in love with a poor happy-go-lucky young medical student, who loves music and does not dislike gambling. The heroine tries to induce him to reform but in vain. A wealthy aristocrat sees the heroine and is so attracted by her beauty that he asks her hand of her father. The heroine marries him, and is taken to his palatial home. They soon have a child. The hero is arrested for resisting the authorities while he is intoxicated and is sentenced to Siberia for two years. The heroine's husband, too, is arrested on charges unknown to him and is sent to Siberia for twenty years. On the way to Siberia they meet. When the husband learns that the hero is to serve only two years, he begs him to look after the heroine when he is freed. The hero, remembering that he had stolen the heroine from him, refuses to promise anything, but when he learns that she has a child, he relents. He induces the husband to exchange identities with him. The heroine makes an application to be allowed to reside in Siberia with her husband. Her request is allowed. She is shocked when she, upon reaching Siberia, finds herself face to face with the hero. He explains everything to her, and begs her to pretend she is his wife, so that her husband and he might not suffer at the hands of the authorities. The husband escapes and reaches the hero's prison. Posing as a representative of the Czar, he gains entrance and is granted privileges according to his supposed position. He calls on the hero and, finding his wife there, induces them both to run away with him. On the way the husband realizes that his wife no longer loved him but the hero and commits suicide. The hero and the heroine escape.

The plot has been founded on the stage play by John Oxenham. It was directed by Michael Curtiz. Grant Withers is the hero, James Kirkwood the husband, and

George Fawcett the father. David Torrence, Olive Tell, William Irvin and others are in the cast. The quality of the sound is poor, even though the words are intelligible in most of the talk. One serious defect, however, is the fact that in many situations music is played while the players talk. This is annoying. (Time, 85 minutes. Silent values, good.)

Note: This picture was not roadshowed in this city. It was shown at the Colony Theatre, a Universal house, at regular prices, on an all day long grind.

"The Taming of the Shrew" (100% T-F)—with Mary Pickford and Douglas Fairbanks

(United Art., Oct. 26; syn. 6,116 ft.; sil. not set.)

Picture-goers will, no doubt, enjoy this comedy immensely. It is founded on the Shakespeare comedy of the same name. Most of the comedy in the first part of the picture is caused by the slapstick comedy work of Mary Pickford. She is supposed to be an unmanageable young woman, who, when anyone gets "fresh" with her, throws on him chairs, mirrors and anything she can find. She tries the same tactics on Douglas Fairbanks, but she is unsuccessful; for he stands his grounds, not paying any attention to the fact that she may be even whipping him. In the development of the plot it is shown that her father forces her to marry him, his main object being to get rid of her. Her husband takes her to his residence, far away, to live among his pigs and in filth. He pretends he is austere with her until he finally subdues her.

Sam Taylor directed it. Some of the other players in the cast are Edwin Maxwell, Joseph Cawthorn, Clyde Cook, Geoffrey Wardwell and Dorothy Jordan. The sound reproduction is fairly good. It should take well everywhere. (Time, 66 minutes. Silent values, good.)

"The Mighty" (100% T-F&D)—with George Bancroft

(Param., Nov. 16; syn. 6,802 ft.; sil. 6,097)

Very good. It is a powerful story, in which the hero is introduced as a crook, but in which he eventually becomes reformed. The scenes at the war front, in France, where the hero is shown fighting desperately, not by any sense of bravery, but because he, having been a gunman, knew no danger, are suspenseful and thrilling in the extreme. The situation where the young lieutenant, who wanted to fight but was not strong enough to fight as the hero was fighting, and where he, in order to prove to the hero that he was not yellow, rushes a machine gun nest, getting mortally wounded, is thrilling. The sight of the young man dying is pathetic. The situations after the war, where the hero is shown made a police commissioner, the desire of the Mayor being to get the city rid of the lawless element by having the hero use army methods are interesting in the extreme. The spectator's knowledge that the hero was a former crook pricks his curiosity to know whether he will remain what the people thought him,—honest and fearless. The scenes that show him, because of his love for a girl, making up his mind to remain honest and to prevent his former pals from robbing the banks; his riding to the scene of the contemplated robbery; the sight of his chasing to capture the crook leader, former boss of his; the gun fight in the dark inside the warehouse, where the crook had gone to hide and where the hero had followed him, the hero being wounded seriously but killing the gangster, are other thrilling situations.

The story was written by Robert N. Lee. It was directed by John Cromwell. George Bancroft is excellent in his part, which this time is mostly sympathetic. Esther Ralston is the heroine; she does well. Warner Oland is the crook leader. Raymond Hatton, Dorothy Revier, Morgan Farley, Charles Sellon and others are in the cast. The sound reproduction is good, the lines being clear. (Time, 72 minutes. Silent values, very good.)

"The Virginian," Paramount, is an excellent western. Review next week.

ANOTHER VICTORY

The following telegram has been received from Mr. Fred Herrington, Secretary of the Western Pennsylvania M. P. T. O., at Pittsburgh, dated Nov. 27:

"Judge Patterson handed down a decision today declaring illegal the arbitration clause and the contract containing same, cost to be paid by the defendants. Letter will follow with copy of the decision."

it can have no affiliation with it. And it will NOT, you may be sure of that. If there is to be a relationship established between it and Allied, you may rest assured that your interests will be protected to the fullest degree. There has never been a time when you had a more competent leadership than you are having now. It is not "flash," or pomp, or bugle sounding that prompts the acts of your leaders, but intelligence. The generalship is of the highest order. The strategy is working fine. Plans are laid down and are carried out in detail without a hitch. Notice the repeated blows the producers are receiving.

Pettijohn said that, beginning January 1, he will see that the affiliated theatres in each zone join the local exhibitor organizations, provided the officers of them do constructive work. This offer is nothing sort of bribe, made with the hope of influencing such of the organizations as have already joined Allied States to desert it, or to prevent such organizations as are planning to join in it from carrying out their resolve. It is just what one would expect from a representative of the Hays organization, for such has been its attitude all along. In making such an offer, however, Mr. Charles C. Pettijohn overlooked the fact that it was showing the Department of Justice the complete co-operation of the members of the Hays organization, in violation of the anti-trust laws. Publix withdrew from the organization in Minnesota, manifestly at the orders of Mr. Hays, the head of the trust, because Al Steffes has been unfortunate enough to fight like a lion for the protection of the independent exhibitors. Affiliated Theatres in other zones did likewise. This act, too, will without any doubt be brought to the attention of the Department of Justice.

It seems as if the producer-distributors are doing everything they can to get into trouble. And they will get into it, if they should continue to allow political manipulators to guide them. They may get away with it for a while, but persons who violate the laws of the land just because they think they are rich and powerful get caught eventually.

The best thing for you to do is to organize more strongly, where you are organized, and to exert your greatest efforts to organize, where you are unorganized. The rest you may trust to the intelligent leadership of Abram F. Myers.

THE HERALD-WORLD "BETTER SOUND" FIASCO

Recently the Herald-World, Martin Quigley's trade paper, started a "better sound" movement for theatres. It appointed judges throughout the United States to find out what theatres give good sound reproduction and to award to them medals.

The object of this movement is, according to its promoters, to encourage exhibitors to treat their theatres acoustically so as to improve their reproduction.

The New York judge is Quinn Martin, of the New York World.

The first award was made to four theatres in this city: The Warner, the Roxy, the Criterion, and Proctor's 58th Street.

The first medal was presented to Major Albert Warner. The ceremony took place at the lobby of the Warner Theatre, where Mr. Hays unveiled the bronze tablet, Award of Merit.

* * *

If the first award is to be taken as a criterion, this movement is political and not business. If it were not, the Roxy would not have received an award, for the reproduction in that theatre is the worst in the United States. In the orchestra, the voices of the actors sound sharp and shrill. In the balcony, in the sides, one can hardly hear what the actors say. The same is true of the back of the balcony.

The sound in the Warner theatre is good, but not extraordinary. In the Criterion, it is pretty good; it is not as good as the sound in the Warner Theatre. Only Proctor's 58th Street Theatre can boast of excellent sound reproduction. In that theatre, you can hear every word the actors say, no matter where you stand. The fact that the acoustics of that theatre as well as the instrument used are excellent may be evidenced by the fact that the words are understood even in the corners at the balcony, the worst place in a theatre from the point of view of acoustics. And yet this committee has placed all these theatres in the same category. Is there a better proof that the award was influenced by political considerations? Next time you are in New York visit the Roxy, and then go to Proctor's 58th Street, and you will be thoroughly convinced of the part politics played in the award of these medals.

If the acoustical percentages were to be set on these theatres in accordance with their merit, the percentage each should receive should, if 100% were to represent perfect reproduction, be as follows:

Proctor's 58th Street Theatre.....	90%
Warner's	75%
Criterion	65%
Roxy	30%

A movement such as this could be productive of good if it left politics and sentiment out of consideration. But the case does not seem to be such. Fox is not slighted; he must not be slighted, because he is a big factor in the industry (or was one, until recently). Major Albert Warner—of course he must be honored; the industry owes him and his brothers a debt of gratitude for what they have done. But what has gratitude to do with good sound?

Even if the movement were to be uninfluenced by political consideration, it would still fail to be constructive if the judges were to lack the proper qualifications. To possess such qualifications, a judge must be either a sound expert or a good musician. But is such the case with the judges that have been appointed by the promoters of this movement? In going over the list, one finds only newspaper editors. Are all these editors sound experts or musicians?

The whole movement seems to be a joke.

While there is no doubt that there is need for improvement in the sound reproduction of many theatres, there is a greater need for improvement in recording. "Since the installation of sound equipment in our theatre," writes Mr. Merritt A. Kyser, of the Aurora Theatre, East Aurora, New York, who was prompted to comment on the Herald-World movement, "we have had both good and bad reproduction, which proves to me that the exhibitor can only reproduce that which is given him to reproduce. For example, on a recent program we ran a short subject which was one of the finest pieces of recording and reproduction I ever heard. On the same program was a feature in which dialogue was not so good. The machine settings and degree of amplification were changed to every possible adjustment to make the feature good, but nothing could make it as good as the short subject. Why should this be so if both subjects were properly recorded?"

"To me the answer is in recording and not reproduction. I am convinced that recording has not advanced as rapidly as reproduction. The Herald-World should make this campaign for better recording and reproduction."

I asked Mr. Kyser, who, by the way, is a professional musician and should know sound, to give me the titles of the subjects he refers to in this letter, and he informed me that they were "Crystal Champion," a Pathe Rice Spotlight short, and "The Return of Sherlock Holmes." "The Spotlight was far superior to the feature picture," Mr. Kyser stated. "In fact, it is the finest bit of recording I ever heard. Patrons stopped in my office on the way out and voluntarily complimented me on it."

That is just it; the Pathe short was recorded by the variable width (Photophone) process, whereas "The Return of Sherlock Holmes," by the variable density (Movietone) process.

Mr. Kyser is wrong in stating that recording has not progressed as rapidly as reproducing, without making some distinction. The recording in the Mack Sennett, Radio, Pathe and Tiffany pictures has progressed greatly. The recording in the "Vagabond Lover," the Radio picture with Rudy Vallee, which has just started a run in New York, is marvelous. The sound is free from resonances, the tone quality is fine, and every word the actors say can be understood without any strain on the ear. On the other hand, the tone quality of "Taming of the Shrew" is only fairly good. At times one experiences difficulty in understanding what is said. On the same bill with "Taming of the Shrew" is "All Americans," a Paramount singing and musical short. The music is excellent, the singing done by artists, and the words are understood pretty well. But the tone quality is extremely poor. If actors were to sing on the stage with such voices, they would be driven out at once, or else the audience would depart in a body. It is plainly evident that the producers exercised all the care necessary to record the sound well; but they did not succeed, because it is difficult for any producer to succeed in recording well always when the recording system is inferior.

The Herald-World and the other promoters of this "better sound" movement would do well if, along with their efforts to improve sound reproduction in theatres, they undertook to teach the producers what recording system is the best and to urge them to adopt it.

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GABRIEL HESS OR JUDGE THACHER?

Under date of October 24, 1929, Gabriel Hess, General Counsel of the Film Boards of Trade, sent the following circular, numbered "H-106," to "All Secretaries of All Film Boards of Trade (Including Canada)":

"In the recent decision of the arbitratoin case, Judge Thacher in his opinion stated:

"That competition between the distributors has been promoted by the adoption of the Standard Exhibition Contract, and that in many ways trade conditions have been vastly improved, I have no doubt, and so find."

"It is clear from this as well as from other statements in the opinion that the operation of the Boards of Arbitration has been not only upheld but commended.

"The adverse conclusion of the decision is based upon the legal point that as all exhibitors were not represented at the conference which resulted in the adoption of the three forms of contracts which have been used since 1923, only those exhibitors who participated in such conferences or were represented by representatives of Exhibitor Organizations, of which they were members, can be held to have consented to such forms of contract and thus bound by their terms and provisions.

"In accordance with Judge Thacher's permission (stated in his opinion) the parties to the action may suggest provisions to be inserted in the decree under which Uniform Contracts providing for arbitration may be adopted. Negotiations with Government counsel toward that end are now under way.

"Accordingly it is perfectly proper for distributors and exhibitors to submit their disputes to the Board of Arbitration for decision and the arbitrators should be advised, if the question arises, that in so far as their work is concerned it has been upheld in every respect and that they should, therefore, continue to act as arbitrators."

* * *

Under date of October 28, Mr. Hess sent another letter (H-108) to the same secretaries, this time of the United States only, giving them the following instructions:

"Hereafter and until further advised by this office, before you as secretary of your Film Board of Trade notify your members (having existing contracts with any exhibitor who has refused to arbitrate or has failed to comply with an award) to proceed as provided in the Rules of Arbitration to demand security for the performance of each contract, advise this office of:

"(1) The name of the exhibitor;

"(2) The name of the exhibitor's theatre or theatres and the location thereof;

"(3) If an award was made, the date and the amount or terms thereof;

"(4) Whether or not the exhibitor appeared in defense of the claim asserted against the exhibitor;

"(5) Whether or not the exhibitor is then continuing to operate the theatre involved in the controversy upon which the award was made;

"(6) Definitely whether or not the exhibitor is a member of any Local Exhibitor Organization and if so the approximate date when such membership began; and

"(7) Whether or not in your opinion the award will be complied with within the time provided in the Rules.

"Also upon receipt of this letter make up and send to this office a complete list of all of the names of all exhibitors which now appear on your Arbitration Information List to which attach a report in respect to each of them setting forth the same information re-

quested in the preceeding paragraph of this letter."

Under date of October 31, Gabriel Hess sent still another circular (H-110), to the same secretaries, giving them the following instructions:

"Immediately upon receipt of this letter please inform all your members that until further advised by this office they shall not suspend service under any existing contract with any exhibitor because of such exhibitor's failure or refusal to comply with a demand for security for the performance of any such contract if such demand was made because of the exhibitor's refusal to arbitrate or to comply with an award of the Board of Arbitration, *excepting, however, in all cases in which the exhibitor was prior to, or at the date of any such contract a member of your local Exhibitor Organization or participated in the selection of delegates to the Trade Practice Conference.*

"Also advise all of your members that in all cases where service now is suspended in each such case the exhibitor be advised that deliveries of the pictures contracted for will be resumed, excepting in all cases of exhibitors of the class above described.

"In each instance above referred to please furnish this office with the information requested in my mimeographed letter No. H-108 dated October 28, 1929.

"Pending further advices from this office these instructions shall not be deemed to interfere with the rights of both exhibitors and distributors to file claims for determination by the Board of Arbitration or with the hearing and determination of all such claims and to make awards thereon by the Board of Arbitration or to continue all proceedings under the Rules of Arbitration up to the point of demanding security for the performance of existing contracts because of an exhibitor's refusal to arbitrate or to comply with an award."

* * *

I have often stated in these columns that the boards of arbitration are, or were, controlled by the Hays organization. I am sure that these letters confirm my statements. Gabriel Hess, in sending these letters out, did not consult with any of the exhibitor representatives, even though the matter concerned also exhibitors.

This is not, however, the point at issue, but the fact that he, Gabriel Hess, took it upon himself to determine what Judge Thacher meant in his decision, giving it an interpretation by taking only part of the decision as a basis. "It is clear from this [That competition between the distributors has been promoted, etc.] as well as from other statements in the opinion that the operation of the Boards of Arbitration has been not only upheld but commended." How he could have arrived at such a conclusion only he knows. It seems, however, that he either did not read or did not understand those parts of Judge Thacher's decision which read: "One can hardly imagine a more direct restraint upon trade than an agreement between competitors in an open market not to trade except upon terms which have been fixed in advance"; "It is therefore not enough to say that competition between distributors is keen and active, or even that it has been prompted and enhanced by what has been done, if, in fact, it can be seen that the freedom of others to engage in trade, to enter into normal commercial agreements, and to have recourse to the courts for their rights, has been unduly restrained by the coercive and collective action of the defendants"; and, "That such coercive restraint upon the commercial freedom of an exhibitor who was neither represented nor consulted with reference to the agreement to adopt the standard form of contract is

(Continued on last page)

"General Crack" (100% T-D)—with John Barrymore

(Warner Bros., Pre-rel. Jan 25; watch time, 112 min.)

Excellent! Because of sound, Mr. Barrymore is given an opportunity to show the followers of moving pictures his dramatic powers, exhibited by him on the stage. The story is the middle of the eighteenth century, and the locale, Austria. Mr. Barrymore, who is the son of the Duke of Kurland with a beautiful gypsy, is introduced as a boy (the part taken by Philip DeLacy) striking his father (the elder Duke of Kurland) on the face, because he was told that the Duke was his father and had neglected him and his mother. The Duke does not resent the impudence of the boy but rather admires him and, when he finds out from the letter the boy had brought that he is his father, receives him with open arms. Years later the boy, now grown to manhood, is shown as a great general, a soldier of fortune, being hired by the Emperor of Austria to save the empire from conquest by outside enemies. When he is received by the Emperor the Emperor's sister laughs at him, because of the fact that he is a commoner. The hero resents it, and, in order to revenge the insult, demands of the Emperor, as his price for saving the Empire, half of the gold in the treasury and the hand of his sister. The Emperor feels insulted but the hero gives him three days in which to decide. At the end of three days the Emperor sends word that he accepts his terms. On his way to Vienna, he sees a beautiful young gypsy dancing. He becomes so capitivated by her beauty that he carries her away and marries her. When he calls on the Emperor, who had been awaiting the coming of the hero, the latter tells him that the reason of his late coming is the fact that he had married. The insult is great but the Emperor is forced to swallow it because he needed him. But when the hero goes to the war front the Emperor sets out to win the gypsy. The gypsy surrenders. The hero is informed of the faithlessness of his wife and he proceeds to revenge on the Emperor. He sends his wife back to her tribe, to be dealt in accordance with the gypsy law. He then carries on the campaign until he crowns the Emperor as the Emperor of the old Roman Empire. He then tells him that, although he had promised to crown him, he had not promised to keep the crown on his head, and proceeds to ruin him. He succeeds. He brings matters to a point where the Emperor capitulates. The hero orders a frightful death for him but the Emperor's sister, who loved the hero, succeeds in softening his heart. The hero spares the life of the Emperor and then proceeds against the Duchy of Kurland, which was ruled commonly by Austria and Russia. He invades the fortress but word is sent him by the Austrian Emperor that he must capitulate. The messenger is presented to him and he turns out to be the very trusted general the hero had left in command of his army. The heroine comes, too, and tells him that, although she was appointed as the Duchess of Kurland, she could not reign without him. The hero then seats her on the throne, and is glad to accept her as a wife.

Mr. Barrymore does some powerful acting in it. The story holds the interest all the way through. The acting of Miss Nixon is good, too, as is that of Armida, who takes the part of the gypsy. Lowell Sherman is the Emperor, Hobart Bosworth, the Emperor's trusted General, who later became the hero's trusted General. Jacqueline Logan, Otto Mattieson, Douglas Gerard, and others are in the cast. The story is by George Preedy. It was directed by Alan Crossland. The recording is good, as a result the lines are intelligible. (Silent values, good.)

for herself but for her money, and therefore he does not arouse any sympathy. It is only in the end, where he, after having found out that the heroine did not have even a cent to her name, tells her that he loves her that he wins some sympathy from the audience.

Tom Cushing's play, "La Gringa," has furnished the plot. Allan Dwan directed it well. Charles Bickford is the hero. Kenneth MacKena, Farrell MacDonald, Elizabeth Patterson, Tom Patricola, Charlotte Walker and others are in the cast.

The sound reproduction was not so good, manifestly owing to poor recording; the voice of Miss Ulric and of others "trembled." (Silent values, pretty good. Silent length not yet determined.)

"Skinner Steps Out" (100% T-F&D)—with Glenn Tryon

(Universal, Dec. 8; time by watch, 73 minutes)

A good entertainment. It is a comedy drama, in which the comedy is provoked by the hero's bluffing. He is a cashier, working for a big concern, receiving a small salary. His wife urges him to ask for an increase of salary but he is so timid that he repeatedly gives his wife one excuse after another why he had not asked for the increase. She finally induces him to do it but when he goes to his employer he informs him that, because of a consolidation with another firm, his services would no longer be required. He manages to keep his discharge secret from his wife for a while, but he is compelled to use their savings to lead her to believe that he had been given a ten dollar a week increase. But in the end, he makes a big success.

The plot has been founded on a story by Henry Irving Dodge. William James Craft directed it well. Glenn Tryon does good work. Merna Kennedy is good as the heroine. Burr McIntosh, E. J. Ratcliffe, Lloyd Whitlock, William Welsh and others are in the cast. The sound is poor, even though the lines are clear; it is hoarse most of the time. (Silent values, pretty good. Silent length, 6,645 ft.; time, from 77 to 95 min.)

"Mr. Antonio" (100% T-F&D)—with Leo Carillo and Virginia Valli

(Tiffany, Oct. 21; time, 70 min.)

A nice little comedy drama suitable for neighborhood programs. There are plentiful laughs caused mostly by Mr. Carillo's good acting and by his delightful broken-English dialect in his attempts to speak English correctly. He also speaks Italian. Laughs are caused also by Gareth Hughes, as a half-wit, who is perfectly harmless except that he liked to shoot at people with toy pistols, and the hero lets him shoot him several times a day. Virginia Valli, as the heroine, is charming as the mistreated ward of the small-town narrow-minded mayor, and her speaking voice is pleasant. Frank Reicher is very good as the blue-nosed mayor, who enjoys himself when away in New York but is very straight-laced in his own town:—

The hero, an Italian organ grinder, meets the small-town mayor, who has been thrown out of a cabaret in New York, drunk and broke. He takes him to a coffee shop to revive him and lends him money to get home. On election eve, while camping in the country near the mayor's town, he meets the heroine. He had been driven out of the mayor's home because she had been seen with a young man at a notorious cabaret outside the town limits drinking and dancing; he does not want to lose his chances for reelection. The hero, who has fallen in love with the heroine, persuades her to tell him her troubles. Informing her that the mayor is his friend, they go back to the town but the mayor at first refuses to recognize him and has him put into jail for playing his organ on Sunday. He escapes by the aid of the half-wit and the mayor is forced to invite him to dinner, fearing that the hero might inform the town of his conduct in New York. He also takes back his niece, but she returns to the hero's camp, telling him that she loves him.

Others in the cast are Eugenie Besserer as the mayor's equally narrow-minded wife and Franklin Lewis. Gareth Hughes takes the part also of the weak-willed son of the mayor.

James Flood and Frank Reicher directed it from the well-known novel and stage play by Booth Tarkington. (Silent values, fairly good.)

"South Sea Rose" (100% T-F&D)—with Lenore Ulric

(Fox, Dec. 8; syn. time by watch, 73 minutes)

Much better than the first Leonore Ulric picture, "Frozen Justice." Although it is not a knockout, nevertheless it keeps one laughing continuously. The laughs are provoked by Miss Ulric, who appears as a French girl, reared in the South Seas, and who is brought by the hero, her husband, to a little town in Massachusetts. The sight of her appearing in a tight-fitting dress before the straight-laced women of the Massachusetts town causes hearty laughs. The drawback in the picture is the fact that the hero is shown as having married the heroine not

"Half Way to Heaven" (100% T-F&D)*(Paramount, Dec. 14; syn. time by watch, 65 minutes)*

Excellent! The spectator is made to sympathize with the heroic characters, and he is held in suspense, extremely tense in some of the situations. The situation where the young hero, disregarding the entreaties of the irightened heroine, decides to go on with the tight rope performance at the circus, where he was required to perform a daredevil stunt along with the villain, is suspenseful; the villain was in love with the heroine and had murdered another young man, by letting him drop to the netless ground. Knowledge of this fact makes the spectator hold his breath. The manner by which this young hero outwits the villain and saves his life is, indeed, original: instead of making an attempt to hold the villain's hands, a thing which would have meant a sure death for him, because the villain would have failed to catch his hands and it would have been impossible for the authorities to prove deliberate murder, the young hero wraps his legs around the villain's neck. The spectators at the Paramount took a breath of relief when they saw Buddy Rogers hanging in midair with his legs twined around the villain's neck. The closing scenes offer a good thrill: the villain tells the hero that there is no room for two in the circus, and orders him to leave, implying that, unless he did so, death awaited him, but the hero tells the villain that he intends to stay there. They grapple, and the hero gives the villain a good beating. Picture-goers should cheer young Rogers in these scenes. The love affair between Rogers and Jean Arthur is charming, not only because of the good acting but also because of the youthfulness of the players. The scenes at the hero's home in the country, where hero and heroine had met by fate and had fallen secretly in love with each other, are full of charm. Freddy Anderson, as the hero's young brother, a "fresh" boy of about twelve, provokes heart laughs by his teasing the hero and by his making wisecracks because of the hero's growing affection for the heroine.

The story deals with a young heroine who runs away from the circus because she suspected her partner (the villain) in the act of having murdered a young man, assistant in the act, because he had learned that the young man loved the heroine, of whom he was madly jealous. In the country she meets the young hero, who had secretly taken tight-rope lessons. When the heroine learns that the hero had been engaged by the circus manager for her act, she goes to the city. She is horrified when the death of the other young man comes to her mind and she attempts to persuade the hero to give up the act. But the hero, feeling too proud to be frightened, goes on with the act. Eventually he triumphs over the villain.

The plot has been founded on a story by Henry L. Gates. It was directed by George Abbot with intelligence. Paul Lukas is the villain. Helen Ware, Oscar Apfel, Edna West, Irving Bacon, and many others are in the cast. The sound reproduction is fairly good. (Silent values, very good. Silent length, 5,179 ft.; time, from 60 to 74 minutes.)

"The Virginian" (100% T-F&D)*(Paramount, Nov. 9; syn. time by watch, 92 minutes.)*

A very good Western melodrama. It has been founded on the well-known stage play by Owen Wister and Kirk La Shelle, which was put on the screen twice before. The spectator is held in tense suspense in most of the scenes. This is caused by the fact that the life of the hero, a quiet but brave man, is in danger because he had incurred the ill will of the villain, a killer. The scenes where the hero, on the day he is to marry the charming school ma'am (Mary Brian), is shown ordered by the villain to leave town before sunset, under threat of death, and his calmly waiting until sunset and then going out to meet the villain, despite the heroine's pleadings, are suspenseful in the extreme. The scenes that show the hero and his men lynching his best friend, who had been caught stealing cattle, are sensational of course; but the spectator absolves the hero of any blame, because the latter had warned his friend not to associate with the villain, a cattle rustler. The love affair between Gary Cooper and Mary Brian has been done well. Miss Brian is given a chance to show what a good actress she is.

Victor Fleming directed the picture. The sound reproduction is fair, owing to the difficulties of recording outdoors. Walter Huston is the villain. One would hardly recognize the Huston of "Gentlemen of the Press," and of "The Lady Lies." But, as unsympathetic as his part is, he does it well. Richard Arlen is the hero's chum.

Chester Conklin, Eugene Pallette, E. H. Calvert, Helen Ware, Victor Potel, Tex Young and Charles Stevens are in the cast. Miss Ware does a fine piece of acting as "Ma" Taylor. (Silent values very good. Silent length 7,407 ft.; time, from 85 to 105 minutes. Time for the sound version is given at the head.)

"The Great Divide" (100% T-D)*(First National, Sept. 15; time, by watch, 72 min.)*

Very good! The version that was produced by Vitagraph about twelve or thirteen years ago drew big crowds and pleased those who saw it. The present version is far better, and has the advantage of talk. The outdoor scenery is beautiful also this time. Mr. Ian Keith takes the part of the hero, an American who poses as a Mexican bandit. His broken talk is natural and he could very easily pass as a Mexican who had learned English, but had not become entirely proficient in the language. He sings a love song and does it well; he has a good voice.

The story is that of a foreman of a mine, who had promised his partner at his death bed to take care of his young daughter. The daughter (heroine) lived in the East. The hero always dreamed of her being a modest girl but in reality she, because of her wealth, supplied to her by the hero, who worked their mine, becomes an up-to-date jazz girl. They meet by chance at a Mexican fiesta, on the Mexican side of the border, and the heroine, not knowing who the hero is, takes him for a Mexican bandit. The hero does not disillusion her. He keeps on talking to her in broken English and, having been charmed with her beauty, dares her to go out to view the scenery with him. She accepts the dare. The beauty of the moonlight and of the country scenery so enchant the hero that he really falls in love with her. But she snubs him and laughs at him. His companions laugh when they become informed that the heroine is the hero's ward. They pass the information along to the hero. While the heroine is jibing him, the hero decides to abduct her with the object of taming her. A reward is offered for his capture dead or alive. After a travel through streams and mountains, during which time he had taught her to do menial work, they arrive at their mine. The posse is informed of his presence there and all rush to capture and lynch him. The heroine, however, intervenes and informs them that there was no abduction at all. She had learned to love the hero and to appreciate life in the open country.

Wm. Vaughan Moody wrote the stage play upon which the picture plot has been founded. Reginald Barker directed it. Myrna Loy, Creighton Hale, George Fawcett, Clude Gillingwater, Roy Stewart, Gordon Elliott, Ben Hendricks and others are in the cast. The sound is pretty good and the lines are intelligible. (Silent values, good! Silent length, 5,980 ft.; from 69 to 85 minutes.)

KENT AND THE INDEPENDENT EXHIBITORS

I have often criticized Sidney R. Kent, of Paramount Famous Players, for acts of his that I thought were detrimental to the interests of the independent exhibitors. At times my criticisms of him were severe. But here is one instance where I can honestly say a kind word about him. He is the only man from the producer-distributor side that has shown a clear head. At Columbus, he extended a hand of fellowship to Mr. Abram F. Myers by inviting him to talk things over with him. And Mr. Myers accepted the invitation. To have done otherwise would have led the other side to believe that he fears to meet them face to face.

Of course, Mr. Kent's act did not please Mr. Hays or his lieutenants. While Mr. Kent was talking to Mr. Myers at the floor of the convention, making him that offer, Charlie Pettijohn was seen to bite his lips; his face turned white, yellow, blue, and other colors. The following morning he said to one of the Allied leaders: "Kent spoke out of turn this time." This exhibitor stood aghast, because he did not think that Mr. Kent had to ask Pettijohn's permission to do independent thinking.

Whatever faults Mr. Kent may have, one has never accused him of insincerity. This leads every thinking person to believe that his invitation to Mr. Myers was sincere, and that much good may come out of it.

There is a meeting of Allied leaders with Mr. Kent and other producer-distributors this week. You will be informed of the results.

undue and unreasonable both at Common Law and under the Sherman Act, I cannot doubt. Gains resulting from such restraints to the industry as a whole do not in the eyes of the Statute justify the vicarious sacrifice of the individual, even for the sake of bigger and better business. A State Legislature could not lawfully impose compulsory arbitration upon the motion picture industry. . . . Much less should it be within the power of a combination of practically all the distributors to do so by coercion exercised through control of the available supply of films."

Mr. Hess says: "The adverse conclusion of the decision is based upon the legal point that as all exhibitors were not represented at the conferences which resulted in the adoption of the three forms of contracts which have been used since 1923, only those exhibitors who participated in such conferences or were represented by representatives of Exhibitor Organizations, of which they were members, can be held to have consented to such forms of contract and thus bound by their terms and provisions." But how could the film boards know what exhibitors are or what are not members of local exhibitor organizations? Naturally they had to obtain the names from the exhibitor organization executives. Those of executives who are affiliated with M. P. T. O. A. might have given them such lists, but not Allied leaders.

Even after they had secured such lists, it would take court proceedings to determine what exhibitors could be legally considered members and what not members. Yet Gabriel Hess took it upon himself to determine this question for these exhibitors arbitrarily.

If Hess were right, then the Department of Justice was wrong. But that the Department of Justice was right may be evidenced by the fact that, when it sent a special prosecutor to Pittsburgh to order a secret Grand Jury investigation, Mr. Hays was compelled to give Hess orders to suspend arbitration in all parts of the country. Judge Thacher declared the contract and the arbitration system illegal and no interpretation on the part of a producer-distributor representative could change its status. Every exhibitor in the industry was told by his lawyer, if he had an occasion to consult him, that the contract was illegal, but the producers were told by their advisors that it was not. And that is why they are now in a hole.

Hess says that the exhibitors participated in the drafting of the three forms of contract and that they were, therefore, bound by its terms. Literally this is true, but is it actually? The exhibitor representatives were always influenced, either directly or indirectly, by Will H. Hays. This was evidenced more at the Trade Practice Conference than at any of the other conferences. At that conference, the Hays organization was so bold as to have Pettijohn send telegrams to the exhibitor delegates to register at the Roosevelt Hotel. Some of them obeyed the summons and were propagandized to do the Hays bidding. And what Pettijohn could not do, one of his exhibitor friends, so-called independent, did. The side that really represented the independent exhibitors at that conference knew that this exhibitor, through his control of M. P. T. O. A., controlled the independent exhibitor delegation. Many of the delegates were ready to do his bidding, either because they did not know the true state of affairs, or because wires were pulled to have them obey his orders.

Even with the control of the independent exhibitor delegates by the Hays organization, there was a chance for Mr. Hays to get a contract and arbitration that might have stood the test of legality, but he preferred to use political manipulation to have them finally adopted in an illegal form. For instance, a resolution was proposed, and was accepted by all, exhibitors, producers and distributors, whereby a committee was to be appointed to draft the contract. The resolution read that there were to be three independent exhibitor and three producer-distributor representatives, these to request the U. S. Supreme Court Chief Justice to designate a seventh person, to pass upon all disputed clauses, in case of any disagreement. The understanding was that this committee was to hold its deliberations in New York City, where the exhibitors could have local legal advice. The committee was selected. But what happened? Hays' chief manipulator, C. C. Pettijohn, got busy and induced Pete Woodhull, whom the Hays manipulators had forced upon the exhibitors as the Chairman of the exhibitor group of the Conference, to

transfer the Committee meetings to Chicago. There Pettijohn manipulated the meetings in such a way that not one of the clauses was submitted to the seventh arbitrator. In fact, the U. S. Supreme Court Justice was not asked to appoint a seventh arbitrator. Manifestly Mr. Hays did not think one was necessary. And that is why he and those whom he represents are now in a hole.

There is just one more statement of Hess' that I desire to call your attention to. In his circular of October 24, he says: "In accordance with Judge Thacher's permission (stated in his opinion) the parties to the action may suggest provisions to be inserted in the decree under which Uniform contracts providing for arbitration may be adopted. Negotiations with Government counsel toward that end are now under way."

I will not dwell upon the fact that Judge Thacher said, "if such be feasible," and "the parties to the action may suggest provisions to be inserted"; also, "may voluntarily be adopted." What I desire to center your attention in is the fact that, although Judge Thacher suggested that the deliberation with government counsel be held "by all members of this industry," Mr. Hays carried on these negotiations without inviting independent exhibitor representatives. This offense is heightened by the fact that the Hays organization, by a statement issued to the trade press recently, denied that such negotiations were carried on.

Get busy and call the attention of your senator and of your representative to the Hess circulars. If you find it necessary to mail him your copy of Harrison's Reports, ask for a duplicate copy. I have had enough extra copies printed to supply you all. There has never been a time when you had an opportunity to put an end to the rack and thumbscrew methods of the Hays organization. Above all, exert your greatest efforts at organizing. If your local organization is a member of Allied States, pay your dues and help your officers carry on the organization work unhampered by lack of finances. If it is not, urge them to join at once. Organization is the best insurance for your business. Remember that, since the producers have found out that Abram F. Myers is not the man to fool with, they are glad to talk matters over with him. So the more strongly you become organized, the more effectively he can protect your interests.

THE STATUS OF SOME WARNER BROS. ROAD SHOW PICTURES

Warner Bros. has notified its franchise holders that, "Say It With Songs," "Mammy," "General Crack," "The Man," "Show of Shows," "Hearts in Exile," "Gold-Diggers of Broadway," "Song of the West," "Under the Texas Moon," "Golden Dawn," and "Hold Everything" are available as "Road Show" pictures.

In accordance with the Road Show provisions of the original clause in the Warner franchise, treated in the issue of September 14, "Say It With Songs," "General Crack," "Show of Shows," and "Gold-Diggers" are Road Show pictures; but "Hearts in Exile" is not, for the reason that it has been shown in this city at regular admission prices, on a continuous performance basis.

Since "Mammy," "The Man," "Song of the West," "Under the Texas Moon," "Golden Dawn," and "Hold Everything" have not yet been shown in New York City, they are not yet Road Show pictures and you are not, if you hold a franchise with the original clause, obligated to accept them as such.

To those that hold a franchise with modified clause, which describes "Road Show pictures," as "motion pictures released by the Distributor which shall be exhibited in the main theatrical district of New York or elsewhere on a pre-release basis for one or more weeks . . ." as explained in the issue of September 28, "Say It with Songs," "General Crack," "Show of Shows," and "Gold-Diggers" are Road Show pictures, but "Hearts in Exile" is not, unless it has been shown elsewhere in the United States, no matter where, on a basis of two shows a day at advanced admission prices.

As far as "Mammy," "The Man," "Song of the West," "Under the Texas Moon," "Golden Dawn," and "Hold Everything" are concerned, they have not yet been shown in this territory. If they have not been shown in any other place, they are not yet Road Show pictures in accordance with the provisions also of the modified clause.

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COLOR IN MOTION PICTURES

Color in motion pictures is going to play an important part; perhaps not as important as that played by sound, but important nevertheless. It has been found that it adds to the picture realism and a partial illusion of solidity (third dimension). It behooves every exhibitor, therefore, to know something about it.

Just now there are in general use the following processes: Technicolor, Multicolor, Photocolor, and Kodacolor.

The names of these processes are, no doubt, confusing, and in a way disquieting, to almost every exhibitor. He asks himself: "What are they?" "How do they work?" "What are their advantages or disadvantages?" "Can they be used in my theatre, and if so, how?" "What will they cost?" "How can I tell if a particular process is good or bad?" "What changes in the projection equipment or in the method of projecting is necessary for best results?"

Because the answers to these questions cannot be found in books or in periodicals, I have undertaken to make a study of this problem with a view to advising you. I have talked with persons that have made a life study of color and are well qualified to answer these questions.

HARRISON'S REPORTS feels happy that these scientists have given freely of their knowledge for the enlightenment of exhibitors, and to a certain extent of producers and distributors.

* * *

The fundamental systems by which color may be added to the picture are two: The Additive and the Subtractive.

In the Additive, the different colored images are thrown on the screen either at the same time, or in rapid succession. In the Subtractive, the color is in the film itself, and the colored images on the film are placed over each other, or mixed with each other.

In other words, in the Additive process the color is produced by adding colored lights on the screen and depends on the eye and brain of the observer for the impression of the presence of the particular color, whereas in the Subtractive, the color is in the image itself. Accordingly, if the color, in its various shades and hues, just as it is seen on the screen, is in the film itself, the process is Subtractive; if the film is black and white, or if each frame is colored in one solid color, green or red (or colors related to these) alternately, then the process is Additive.

Numerous theories have been propounded as to color vision. The Young-Helmholtz theory assumes only three individual color sensations on the retina or back of the eye, all other colors being combinations of these three. The Ladd-Franklin theory assumes several pairs of color sensations. Neither theory has yet been proved completely. At least, neither is free from weaknesses. This matter, however, is immaterial, for what we are interested in is, not how the eye sees color, but whether the color impression received by the observer is or is not correct.

Each of the two color systems may use either two or three basic colors.

In the Additive three-color system, the following basic colors are employed: Red, Green, and Violet. The combination of Violet and Red produces Purple. The combination of Violet and Green Produces Blue. The combination of Red and Green produces Oranges and Yellows. The combination of all three colors produces White. Thus, with these three basic colors, the following colors are produced: Red, Orange, Yellow, Green, Blue, Violet, Purple, and all the shades of these, as well as White or Gray. Black is produced by the absence of all light.

This system is not in use in the commercial field of the motion picture industry at present, because it requires the use of three positives to be run, either through three different projectors at the same time, or through a modified

triple projector, and it is extremely difficult to make three full-size positives register on the screen exactly, not to mention the fact that it is at present too expensive, because of the numerous images it requires. Film shrinkage, too, causes trouble in this system.

In the Subtractive three-color system, Red, Blue and Yellow are the basic colors employed, and the different color combinations are produced by mixing, or superimposing, these colors in a way similar to that by which colors are mixed in printing or in painting. The combination (or mixture) of Red and Yellow produces Orange. The combination of Yellow and Blue produces Green. The combination of Red and Blue produces Violet and Purple. The combination of all three colors produces Black or Gray, its shade depending on the preponderance of one of the three colors. Thus, by this process, the following colors may be produced: Red, Orange, Yellow, Green, Blue, Violet, Purple, and their shades, as well as Black or Gray. In this process, White is produced by the absence of all color.

Like the three-color Additive process, the three-color Subtractive process is not in commercial theatrical use in the motion picture industry, but it has been described in this article just the same because research laboratories continue experimenting for the perfection of a three-color process. A two-color process can not reproduce natural colors, because, as will be stated in the discussion of the two-color processes, many of the colors cannot be reproduced. Three-color samples made in laboratories in rare occasions have revealed an indescribable beauty. That is why great efforts are being exerted at perfecting a three-color system. Though the perfection of a three-color process will require more experimenting and harder work, those that are familiar with its progress predict that, in two or three years, colored pictures will be produced commercially by a three-color Subtractive process.

In the two-color Additive process, the colors employed are Orange-Red and Green (or Green-Blue). By the combination of these two colors, one may produce the following colors: Orange-Red, Orange, Yellow, Green, and also the deeper shades of Orange, of Green and of Brown. An example of this is the process that was called Kinemacolor in the old days: it is not in the market any longer.

In the two-color Subtractive process, colors somewhat similar to those employed by Kinemacolor are employed; namely, Orange-Red and Green-Blue. The shades produced by it are: Orange-Red, Orange, Pink, Salmon, Green, Green-Blue, Brown, Tan and some others. Technicolor, Multicolor and Photocolor are two-color Subtractive processes.

Though the two-color Subtractive process produces numerous beautiful combinations of colors, it does not produce all colors. The following colors are absent in it in some measure: Clear Yellow, Deep and Light Blues, Violet, Purple, and Neutral Grays.

Kodacolor, which is a three-color Additive process, is not in use in theater pictures. It is used principally in amateur work.

(The second article will appear in a forthcoming issue.)

ANOTHER SIDE OF THE STORY ABOUT FOX

The trade papers are full of accounts on the re-organization of Fox Film Corporation and on the trusteeship, which consists of Messrs. Fox, Otterson and Stuart. These accounts are trying to paint a beautiful picture of the economic condition of the Fox organization.

That is one side of the story. The other side is this:
(Continued on last page)

"Hunting Tigers in India"

(Talking Picture Epics, Inc.; Dec. 9; time, 86 min.)

Theatres that have been in the habit of running pictures of this sort or of general educational nature should find the running of this picture profitable. Although it is not as good as some of the pictures of this kind that have been released in the last two or three years, it is, nevertheless, interesting from the point of view of picture-goers that cater to such theatres. The title does not describe the picture correctly, because tiger hunting, although the main undertaking of the expedition, is only a part of the picture. Hunting of "Rogue" elephants is another part, of deer another, and of rhinoceri still another. It is explained by talk that "Rogues" are elephants that are turned out by the elephant tribe as unruly. These become worse while living their lives in lonesomeness and the government of India condemns them to death, offering a prize to whoever will kill them. The tiger hunt is only mildly interesting because, on account of the nature of the work, only shots of the tigers standing still or running away could be taken. The hunt of rhinoceri, too, is in a way interesting.

One of the worse defects in the picture is Captain George M. Dyott's talk, which was put in afterwards. He lectures while the film is shown. The Captain uses too much tautology, and often he explains what is obvious. He also uses frequently rhetorical inversion permissible only under extreme emotional stress. This makes his lecture sound artificial, and, inasmuch as this sort of pictures appeal mostly to cultured picture-goers, the talk will hurt the picture rather than help it. It is the opinion of this paper that a silent version will give better satisfaction than the synchronized version. (Time, 86 minutes.)

"Darkened Rooms" (100% T-F&DN)

(Param., Nov. 23; time 74 min.; no silent version)

A first class program picture. There is human interest, a little comedy, and the spectator's interest is held fairly tight all the way through.

It is the story of a boardwalk photographer at a beach resort, who, unable to make a good living at his profession, decides to take up spiritualistic work to enable him to fleece wealthy persons. The heroine comes to have her picture taken to send to a vaudeville agency with the hope of obtaining an engagement as a chorus girl. She faints and the hero, realizing that she had fainted from hunger, offers her a meal. He then makes her a proposition to become his employee at a good salary. When she learns that she was to be his confederate in a dishonest money-making scheme, she balks at first but she eventually gives in, not only because she feels grateful to him for having given her food and shelter but also because she had come to love him. They carry his fleecing scheme partly through, but she revolts and refuses to go through with it, telling him that she will leave him. At first the hero does not take her threat seriously but she does leave him. He decides to go through with it alone. The heroine, in order to save him from a possible trouble with the authorities, engages a friend of hers, an actor, to act as a ghost at a given time. While the hero is giving a spiritualistic sitting to a young wealthy woman, who hoped to communicate with her fiancé, killed when his aeroplane was smashed, the heroine's friend appears as a ghost and warns the young woman not to believe what the hero had said to her. The hero is frightened, because he thought that he saw the real spirit of the dead aviator and gives up his dishonest schemes. The heroine comes back to him. They devote their time to their work and prosper.

The story is by Philip Gibbs. Louis Gasnier directed it. Evelyn Brent is the heroine, and Neil Hamilton, the hero. Wallace McDonald, Doris Hill, Gale Henry and others are in the cast. The sound reproduction is good. (Silent values, good.)

"Dance Hall" (100% T-F&D)

(Radio Pict., Dec. 27; synchr. time, 66 min.)

Not big but pleasing. The spectator's interest is held fairly tense throughout, there is fairly abundant human interest, and some laughs are provoked. The human interest is awakened mostly by Arthur Lake; he loves the heroine, and yet he conceals from her the fact that the man she loved was unfaithful to her. He would rather have her misunderstand his motives,—and she is shown misunderstanding them—than make her unhappy by informing her about her fiancé. The love Arthur Lake, as the hero, shows for his mother, too, helps make him a friend to the spectators. Joe Cawthorn comes forward with another fine performance; again he takes the part of a foreigner, who stumbles now

and then when he attempts to express himself in English well. Olive Borden is sympathetic as the heroine. Her acting when she discovers that the man she loved was unfaithful to her is tensely dramatic. The picture has been produced well. The sound reproduction is up to the Radio Pictures standard; all the words are understood without any effort.

The action unfolds mostly in a dance hall, where the heroine is a hostess, and where the hero went and danced, winning prizes as an amateur. He loves the heroine but she considers him only a child. She meets a famous aviator and falls in love with him. But he proves false to her. She eventually realizes that the hero loved her and tells him that she, too, loved him.

The story was written by Vina Delmar; although it is not big, it is human. Melville Brown directed it. Margaret Seddon, Ralph Emerson, Helen Kaiser, Lee Moran, and Tom O'Brien are in the cast. (Mr. Moran provokes some comedy.) (Silent values, good. Silent length not yet determined.)

"The Marriage Playground" (100% T-F&D)

(Param., Dec. 21; syn. time, 73 min.; sil. 6,610 ft.)

Only fairly good. There is some comedy, caused by the pranks of little children. There is some human interest, too, caused by the good acting and the sympathetic part of Miss Mary Brian.

The story unfolds in Europe, mostly at Lido, the famous Italian summer resort, and deals with seven children of parents who married and divorced and remarried, leaving them to shift for themselves. They are compelled to endure the hardships that are brought to them by the quarrels of their parents. The young heroine (Mary Brian), one of the children, becomes the head of the "family"; they all swear on the bible that they will always be together and that they will not let anybody separate them. The heroine accidentally meets the hero, a young American, and when she learns that he knew her father she is overjoyed. In time she falls in love with him but she is heart-broken because he considers her a mere child. Soon, however, he realizes that she is a woman and not a child, and when he learns that she, too, is in love with him, he marries her. They thus give the children a permanent home.

The story is by Edith Wharton, Lothar Mendez directed it. Frederic March is the hero, Lilyan Tashman, the heroine's mother, Huntley Gordon, her father. William Austin, Seena Owen, Philippe de Lacy, Anita Louise, Jocelyn Lee, Maude Turner Gordon, Joan Standing and others are in the cast. The sound reproduction is good. (Silent values, fair. Time for the silent version, from 76 to 94 minutes.)

It should appeal mostly to cultured picture-goers.

"The Battle of Paris" (100% T-F&D)

(Param., Nov. 30; time 70 min.; sil. not yet determined)

Gertrude Lawrence is a fine actress; she has poise and works like a veteran screen actress. In the songs, in particular, she is at home. But although she works hard to put "The Battle of Paris" over, she does not succeed so well, because the story material is somewhat weak. For one thing, she is shown doing things that the heroine in drama should not do, not at least without justification. At the opening she is shown as the confederate of a happy-looking pick-pocket. The author attempted to retain sympathy for her by showing that she does not like to do pick-pocketing but that she does so out of gratitude for her associate, who had helped her when she was in need. But she is deprived of sympathy just the same. The love affair between her, as the heroine, and Walter Petrie, as the hero, is fairly interesting. The part that shows the heroine "borrowing" a dress for the purpose of arousing the jealousy of the hero, who was at the cafe in company of another woman, is another thing that works against her, even though she is shown putting the dress back. Charles Ruggles is the happy-go-lucky pick-pocket. He provokes considerable comedy.

The story deals with the confederate of a Paris pick-pocket (heroine), who accidentally meets a wealthy young man (hero). In time they fall in love with each other. War is declared and the hero enlists. The heroine hears that the hero is in Paris on leave but is heartbroken when he fails to call on her. She is informed that he is at a cafe with another woman and, in order to arouse his jealousy, she steals a dress from a store and goes to the cafe as a princess. She ignores the hero. The heroine is abducted by apaches and the hero rushes to her rescue. They become reconciled after the rescue.

The story is by Gene Markey. Robert Florey directed it. The sound is pretty good. (Silent values, fair.)

"This Thing Called Love" (100% T-F)*(Pathe, Dec. 15; time of synchronized version, 74 min.)*

Pretty good. It is high comedy. The idea conveyed by the story is that as soon as married people allow love to enter, they allow to enter also unhappiness, because quarrels, recrimination, intolerance and the like are the results of jealousy, the product of love. Although there is a certain truth in this, the action fails to create any extraordinary impression on the spectator, even though it amuses him on the whole. The picture has been directed and acted very well, indeed. The comedy is caused by the situations as well as by the good acting of Edmund Lowe, the hero, and Constance Bennett, the heroine.

The story deals with a hero, who comes to New York for a business deal. The beautiful daughter of his business friend attracts most of his attention. The hero felicitates his friend for the happy life he leads at home. The friend invites him to dinner at home; the latter accepts. But the hero soon finds out that what appeared to him as a happy home is really a home of quarrels, thanks to his friend's wife, a sort of hysterical woman. But the hero does not mind it; he proposes to the heroine just the same. Although she wanted to accept his proposal yet she, realizing how unhappy her parents are, and fearing lest she find things no different after their marriage, rejects his proposal. But the hero is persistent. The heroine eventually gives in, but with the understanding that they are to be married only as a business proposition, and that if either found someone else to love, the other was to give him or her a divorce. Soon they find out, however, that it is better for them to be married in fact, even though they may have to quarrel now and then.

The plot has been taken from Edwin Burke's moderately successful stage play of the same name. Paul Stein directed it well. Rosco Karns, Carmelita Geraghty, John Roche, Ruth Taylor, and others are in the cast. The sound reproduction is excellent. (Silent values, fairly good. Silent length not yet determined.)

**"The Thirteenth Chair" (100% T-F&D)
—with Conrad Nagel***(MGM, Oct. 19; syn. time by watch 75 min.)*

Mediocre! The story is thin, the action is slow and the slightly interwoven romance is not interesting. It has some suspense and mystery, well enough, and the disclosure of the real murderer is a surprise, but there are only two scenes that hold the spectator's attention. These are the two seances held by the fake medium for the purpose of finding out who had committed the crimes. The rest is jumpy and disconnected. Margaret Wycherly gives the best performance as the medium. She played the same role on the stage. Leila Hyams is charming as the medium's beautiful daughter. Conrad Nagel, as the governor's son, who is in love with the heroine, is adequate as is Holmes Herbert, the governor:—

A philanderer of women is murdered in the governor's home and the murdered man's best friend hires a famous detective to solve the mystery. He arranges with a fake medium to hold a seance with the hope that the murderer will become frightened and confess. Thirteen people are seated around the circle. During the seance the friend is killed and the heroine, having been seated on one side of him, seems to be guilty because of a weird story she tells the detective of having gone to the philanderer's room to retrieve letters written to him by the governor's married daughter. To save her daughter, the medium requests the detective to allow her to hold another seance. She places the dead man back in his chair. By making him appear as if coming back to life, another young woman who had been seated on his other side, confesses that she had been a victim of the philanderer and admits that it was she who had killed both men to save her from disgrace.

Tod Browning directed it in a disjointed manner. The stage play by Bayard Veiller furnished the plot. Others in the cast are Helene Milard, the murderess, Mary Forbes, the governor's wife, Bela Lugosi, the famous detective, and John Davidson, the philanderer's friend.

The talk is not always intelligible and at times the voices sound harsh. (Silent values as poor as the sound. Silent length 5,543 ft.)

"Red Hot Rhythm" (100% T-F)*(Pathe, Nov. 23; syn. time by watch, 75 minutes)*

This picture will entertain most of those who will see it, but they would hardly go out of their way to boost it. One of its chief drawbacks is the characterization of the hero; although he is presented as a likeable sort of chap, he is a villain just the same, because he makes his living

by fleecing innocent people. He conducts the "Big Hit Music Publishing Company," his business being to make writers of poor songs or of music believe that they have written masterpieces and that, if their works were published, they would reap great profits. The terms, however, are such that the victim is required to put up half of the publishing cost, such half being big enough to pay for the publishing costs and to make the hero-villain a big profit without investing a cent. Another defect is that he is shown giving up the heroine, a girl who had instilled courage into him when she had found him in the gutter, for another girl. The fact that the other girl is a gold-digger, wise enough to make him believe that she is an innocent small town girl from Massachusetts, robs him of sympathy still more. In the end, he finds out, of course, what the girl he intended to marry really is, and then realizes what an injustice he was about to make to the heroine, who loved him sincerely, and makes up for his error, but this is impotent to bring much sympathy to him. There is some good music, and no little comedy, this being contributed by Mr. Hale, who takes the part of the hero-villain. There are two scenes in color, one of them of seven minutes' duration and the other of three minutes'. They are somewhat pretty.

The story has been written by William Conselman. It was directed by Leo McCarey. The production part is first class; the acting, artistic; the tone quality of the sound is excellent, and the lines clear. Allan Hale and Kathryn Crawford do well in the leading parts. Walter O'Keefe, Josephine Dunn, Anita Carvin, and others are in the cast. (Silent values, fairly good. Silent length not yet determined.)

"Love Comes Along" (100% T-F&D)*(Radio Pictures, Jan. 5; time of synchr. version, 77 min.)*

When sound came, some one at the Paramount studio decided that Miss Bebe Daniels could not sing and her voice was not good enough for talking pictures. The whole industry now laughs. Some one tells a story that Jesse Lasky fainted the first time he saw and heard "Rio Rita." And no one can blame him for that, for Miss Daniels' work in "Love Comes Along" confirms the belief that she is not only a great singer, but also a first class dramatic actress, as well as a first class comedienne. One has but to see her in the scenes where Lloyd Hughes, as the hero, scorns her after a misunderstanding and leaves her "flat"; it is then that Miss Daniels rises to great dramatic heights.

The story unfolds somewhere in Latin America, and presents the heroine, a stranded chorus girl, working for a wine shop, dancing and singing, so as to make her living and to save enough for a ticket back to America. But it was not so easy for her to save money, for she wasn't the kind of girl sailors at port were seeking. The hero, a sailor, meets her and becomes so fascinated with her beauty that he seeks her company. When he finds out how good a girl she is he falls in love with her. She, too, falls in love with him. The hero's ship is about to leave and the hero bids the heroine good-bye. The heroine thinks that he is no different from other sailors. But the hero returns. She is overjoyed. During the hero's short absence, the heroine is engaged by the villain, a powerful Spaniard, to sing at the fiesta. When the hero finds out about it he places the worst construction upon her act and, after denouncing her, makes ready to leave her. The heroine, unable to convince him that her singing was merely a business matter, denounces him and orders him to leave. The hero goes but is disconsolate and returns. He goes to the fiesta. The villain has him arrested. The heroine, knowing that his life was in danger, begs the villain to spare his life, offering to do anything for him. The hero is released but returns and by a ruse spirits the heroine away, taking her to the ship, which was ready to steam away. All misunderstandings are removed and both are happy.

It is hardly necessary to say that Miss Daniels sings several songs well. The plot has been founded on the play "Conchita," by Edward Knoblock. It was directed by Rupert Julian, with his well known directorial skill. Montague Love is the villain, Ned Sparks the hero's chum. Lionel Belmore, Evelyn Selbie, Alma Tell and others are in the cast. The sound reproduction is excellent. Every word the actors speak is understood with no effort. (Silent values, very good. Silent length not yet determined.)

HARRISON'S REPORTS offers to all its subscribers and to the motion picture industry in general the greetings of the season.

When William Fox closed a deal for the purchase of the 430,000 shares of Loew stock from the Loew family and from Nick Schenck, at \$120 a share, he needed some cash. Halsey, Stuart & Co. lent him \$12,000,000 in cash, which was paid for the stock as a down payment. For the balance, notes were given.

Halsey, Stuart & Co., which is a reliable concern, sold short term notes to its customers for the \$12,000,000. These mature, as I have heard, around April 1, at which time they will probably have to be met. But how? Will the Fox Corporation be able to meet them?

It is stated that Fox owes Western Electric, a subsidiary of American Telegraph and Telephone Company, \$15,000,000. How is this money to be paid? From what sources?

A. T. & T. and Halsey, Stuart & Co. brought about the trusteeship in order to protect their interests, naturally. The terms of the trusteeship are that two out of three of the trustees will decide any question. You can imagine how Messrs. Otterson and Stuart will vote. With Fox? Hardly likely! If such is the case, is Fox in or out?

With the passing of the control from Fox to Halsey, Stuart & Co. and to A. T. & T., there is bound to be a retrenchment. Already there has been a stop in the buying of theatres, which Fox was doing by short term notes. The next retrenchment will naturally take place in production. So the thing that you would have to take into consideration is this: If there were to be a retrenchment in production; if the appropriations for the production of the pictures, made in the beginning of the season, were to be reduced, will the quality of the Fox product suffer? As this is a question that no one can answer at present, it must be answered by you who either have bought the Fox product or contemplate buying it.

As to the personal affairs of William Fox, that is another matter altogether. How much he lost in the crash is known probably only to his nine brokers and to himself. But it would make you dizzy if you knew the figures. You would think that there isn't as much money in the United States. Some persons have placed the figure at \$60,000,000. But it is hard to know the exact figure.

The question that now arises is this: The mad adventures of William Fox in the motion picture industry; his crazy program of theatre acquisition, is going to cost such of the American public as have bought Fox stock millions of dollars. Is there going to be no attempt to place responsibility on any one. Why don't you ask your representative at Washington if there is going to be an investigation of the Fox crash?

This morning's papers (December 16) state that the Fox trustees plan the consolidation of the Fox holdings, mentioning Loew's incorporated specifically. But how can a consolidation of Loew's, Inc., with Fox be effected when the United States Government has brought a suit against the Fox Corporation charging it with monopoly just because it acquired the Loew interests? It is natural that no such consolidation can take place before the courts have declared the Fox Corporation innocent of any attempt to create a monopoly.

If the Supreme Court, to which the case may eventually be taken, should uphold the Government, there will naturally be a divorcing of the Fox and the Loew interests.

But how? In addition to the 430,000 shares, which he bought at \$120 per share, William Fox bought from the open market an additional 250,000, around \$80 a share. All this stock cost him about \$80,000,000. If it were to be sold at its present market value, it would realize about \$30,000,000. Who is going to stand the loss of \$50,000,000, the difference between the purchase and the possible selling price?

What a headache some people must have!

NEW INFORMATION ALTERING THE STATUS OF SOME WARNER BROS. PICTURES

In the issue of December 14, under the heading "THE STATUS OF SOME WARNER BROS. ROAD SHOW PICTURES," I stated that "Say It With Songs," "General Crack," "Show of Shows," and "Gold-Diggers" are Road Show pictures, because they were shown in this city in accordance with the terms of the Road Show defining clause in the early Warner Bros. franchise. Additional information received at this office alters the status of these pictures.

The clause in the early franchises stated, as I have said before, that certain Warner pictures, in order to be put in the Road Show class, must be shown "in the

main theatrical District of New York, Chicago and one other key-point. . . ." These four pictures have not, as I have been informed reliably, been shown in Chicago on the basis of two shows a day at advanced admission prices. For this reason they are not Road Show pictures.

In giving you this information, my object is not to urge any one of you to reject these four picture as Road show pictures for this reason, but to give correct information. There is no question that, from the quality point of view, they are Road Show pictures. But they are not such from a legal point of view, because they were not shown in Chicago as the franchise provides. This enables any exhibitor that holds an original Warner Bros. franchise to raise this point, if he should so choose.

A DIRTY MESS

According to the daily papers, William C. Redfield, former Secretary of Commerce, chairman of a commission of the Federal Council of Churches in America, has resigned when he learned that Rev. Charles Stelzle, who was instrumental in organizing the Council's motion picture committee, was in the pay of the Hays organization as well as of the Federal Council of Churches. He did not want to work, as he said, under such conditions.

The same news items stated that the Federal Council of Churches dropped Rev. Stelzle, whom it engaged recently as its publicity representative; and that the Federal Council will fight the Hays organization and Mr. Hays himself, because the Hays group "soft-soaped" the churches and tried to keep the motion picture industry in good graces by dinners and "other means."

Two days later the papers stated that Will H. Hays and Gov. Carl E. Milliken were dropped as directors of the Church and Drama Association, because they tried to use the association for film propaganda.

Carl E. Milliken, in a statement printed in the daily press of December 16, states that the Church and Drama Association has dropped him and Mr. Hays as directors not for trying to "use" the association but for refusing to support the association financially, after a demand made by Rev. George Reid Andrews, the Association's secretary.

There is no question that Rev. George Reid Andrews will come out with a counter statement, denying these accusations, and perhaps accusing Mr. Hays of trying to buy out his support by all kinds of inducements. It is possible also that others may come to the support of Rev. Andrews by statements against Messrs. Hays and Milliken. Gov. Milliken may be compelled to issue other statements in an effort to clear themselves, and so on, until both sides get tired issuing statements and quit. In the meantime, the poor exhibitors will suffer just because the general public has not yet been educated enough to distinguish persons and motives in the motion picture industry.

The policy of Mr. Hays has been wrong with the churches just as it has been wrong with the exhibitors. He has made a failure of his mission and it is about time that he realized it himself.

THE ABSENCE OF NATURAL COLOR SCENES IN "MARRIED IN HOLLYWOOD"

When "Married in Hollywood," the Fox singing and talking picture, was shown at the Roxy, this city, it contained several scenes in natural colors; and I so stated in my review, which was published in the September 28 issue.

As a result of this information, several of those who had this picture booked so advertised it to their customers. Imagine the embarrassment they felt when they showed it and found out that there were no scenes in natural colors in it. Their veracity has naturally been questioned, and next time they advertise that a particular picture contains scenes in natural colors, they will not be believed.

I looked up the Fox publicity put out on this picture at the beginning of the season, but found no mention of natural color scenes. For this reason, those that have not yet shown this picture have no claim against Fox. But the matter differs with those who have shown it and advertised it as containing scenes in natural colors. These may bring an action against Fox for fraud, unless the Fox organization sends them a letter absolving them of any blame, which letter such exhibitors may publish in their local papers to help them re-establish themselves in the confidence of their customers. They may even demand a readjustment of the price.

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THE HARM POLITICAL TRICKERY HAS DONE!

The desperate plan hatched by Charlie Pettijohn at Columbus to merge the Allied States Association with the mirobund M. P. T. O. A. for the benefit of the Hays organization has fallen through. The promise for secrecy for the recent conference in New York made by both sides has been breached by the producer side and it now appears that there will be an end to further parleying, and that the exhibitor leaders will carry out the original plan for the protection of the interests of the independent exhibitors.

According to accounts in the trade papers that are close to the Hays organization there is not so much enthusiasm among the Hays forces for a consolidation of the two exhibitor organizations now as there was a few weeks ago. One of the distributor representatives is quoted in a trade paper as having said: "The agitators," meaning the Allied group, "will have to have more rope before we can deal with them." The thought expressed in that article is that Allied can not long exist on the pittance contributed by the simon pure independents and that sooner or later its leaders will have to submit to such terms as the Hays organization may impose.

The reason for this turn about face by Will H. Hays is that the Allied leaders, responding to the challenge to say what they wanted, filed a detailed statement of their plan for equalizing conditions as between distributors and exhibitors, and as between affiliated theatres and independent theatres. The dangerous part of the plan, from the standpoint of the Hays forces, is that its very firmness commends it to the unbiased reader, and puts the would-be independent exhibitors, who were controlled by Hays, and who were kept to the foreground to offset the work of Allied leares, to a difficult position; they are at a loss to know how they can attack the plan and still remain in control of their organizations.

Current reports indicate that the Allied group promptly shattered the notion that there was any issue between their association and M. P. T. O. A., or that a merger of the two would solve any issue in the industry. The real issues, they declared, were: voluntary and fair arbitration; an equitable contract; the correction of protection abuses by a fair zoning arrangement; curtailment of overseating; national appeal boards for the adjustment of industry disputes through the medium of arbitration, and the maintenance of strong local and national exhibitor organizations under the control of independent leaders. (HARRISON'S REPORTS will print details of this plan as soon as it obtains an authenticated copy.)

When this paper announced that there was to be a meeting of Allied leaders with producer representatives, headed by Sidney R. Kent, and representatives of the producer-controlled M. P. T. O. A., it assured you that Mr. Myers and his associates could be depended upon not to fall into a political trap, and that they were well able to protect the interests of the independent exhibitors. It now becomes evident that the faith it placed on Mr. Myers and his associates was fully justified, for events at the meeting and since the meeting have proved their ability beyond any doubt. At the secret meetings held in New York City, the politicians of the opposition were routed when the Allied leaders insisted that the conference put aside shilly-sallying and deal with vital issues. They told the producers and the producer-controlled exhibitors, both affiliated and non-affiliated, that the consolidation of the two exhibitor groups was not the problem, and that this could be easily effected after the important issues were gone over and an agreement were reached. The producer-representatives and their friends were, in fact, taken by surprise when the Allied group sprang on them a printed document embodying the demands of the independent exhibitors over which the

discussion should revolve. These demands were so moderate that if an appeal were to be taken to the public, there is not the least doubts as to which side public sentiment would be with. Throughout the meetings, the personality of the man whom the founders of Allied States Association chose to lead the independent exhibitor movement overshadowed every one else. It was the first time in the history of independent exhibitor conferences with producers and distributors that the independent exhibitors met producer side on an equal footing, and that the exhibitor leadership shone above that of the producers and of their exhibitor friends. The Allied group is again showing most able leadership now, for they are turning away from a possible producer trap. The age-old scheme of getting a person or a group of persons into a conference and "conferencing" them to death was put to use by the producers this time just as it was put at all other times they conferred with independent exhibitors, but this time it did not work, for the man that leads the exhibitor knows these tricks backwards. His investigation of the producer side at the time he was Chairman of the Federal Trade Commission and at the time he held the Trade Practice Conference in this city, has given him a clear picture of men and things in this industry; and schemes like this will not work on him.

If there was a time in the history of exhibition that you needed a strong organization, that time is the present. Fair arbitration, an equitable contract, allocation of product, restricting producer-distributor theatre expansion, a national board of appeals for the settlement not only of minor but also of major disputes, the right to reject pictures that insult your patrons or that offend their religious sensibilities—these and other problems await solution. And the only man that will help you solve them is Mr. Abram F. Myers. So redouble your efforts at organizing. Become a member of your organization and help it carry on the work unhampered by lack of finances. Remember that no matter how much you spend for organization you can never spend enough, for it is the greatest insurance for your business you could ever buy.

Let every independent exhibitor be an Allied member!

PITY OHIO!

The great State of Ohio with its many theatres has long been handicapped by a feeble and vascillating organization leadership. With William James in the saddle at Columbus, and with J. J. Harwood in control at Cleveland, the member of the M. P. T. O. of Ohio has dwindled until only a fraction of the theatres are represented. As a result, the treasury shows a substantial deficit. H. M. Richey, secretary of M. P. T. O. of Michigan, with fewer theatres in his territory, has been able, not only to pay the running expenses of the organization comfortably, but also to lay aside a big sum of money, which brings to the organization a handsome income yearly in interest.

Lack of interest on the part of the exhibitors usually means lack of confidence in the exhibitor leaders. Perhaps what happened at the recent conference in Columbus explains this lack of interest in Ohio. At a franchise meeting in Chicago last August, Messrs. James and Harwood volunteered to Allied leaders there present that they would, at their convention at Columbus in November, recommend affiliation with Allied. As the time for the convention approached, James sought to have Mr. Myers attend and address the gathering, assuring Mr. Myers that he would definitely recommend such affiliation. When Mr. Myers and his associates reached Columbus, however, James became evasive as to how and when he would bring up the
(Continued on last page)

"The Grand Parade" (100% T-F)*(Pathe, Feb. 2; syn. time, 81 min.; sil. not determ.)*

One of the most powerful dramas produced for a long time. There are times when it is hard for the spectator to suppress his emotions. It is the story of a heroine who helps the hero to find himself but who, after being married to him, sees him go back to his old flame. Her heart is breaking but she endures it all, hoping that she will yet be able to keep him. She tries to tell him that she is about to become a mother but he does not give her an opportunity. She decides to commit suicide, by jumping off the roof of the theatre in which she and her husband were performing, but she changes her mind. After his act, the husband is told that the heroine was about to become a mother. Better thoughts come to his mind. When he hears that she is up on the roof, a cold chill runs through his body; he rushes and takes her in his arms. But she will not have him; she tells him that she would rather kill her child than allow it to come into the world to know what kind of father it has. The hero begs her to forgive him but she is inflexible until he kneels and prays to her to forgive him. His kneeling to pray to her makes her come to herself; she considers herself unworthy to be prayed to, and she embraces him, forgiving him. He promises to put the other woman out of his life forever.

The scenes where the heroine upbraids her husband and tells him that she would rather kill her child than allow it to come into this world is one of the most powerful seen in pictures since moving pictures have come into being. There are other powerfully dramatic situations all the way through. Helene Twelvetees, as the heroine, does marvellous acting. I doubt if there is another screen actress that would have made the part more realistic. Fred Scott, too, does good work; he has a good voice and in his part as a minstrel he does good singing. Every one in the cast, in fact, does good work. The story is by Edmund Goulding; it was directed skillfully by Fred Newmeyer. The tone quality is excellent, the lines all being clear. (Silent values, excellent.)

"The Mysterious Island" (12% T-D)*(MGM, Oct. 5; syn. time, 93 min.; sil., 8,459 ft.)*

This undersea melodrama should please those that will see it, for the reason that it is different from the usual run of stories. It is a fantastic tale, inspired by Jules Verne's book of the same name.

A scientifically inclined man, living in an island, the activities of which are surrounded by mystery, has invented the submarine. The villain is infatuated with his daughter. The hero loves the heroine; she loves him, too. But the villain plots to do away with the hero and with the scientist so as to possess the heroine. The hero begs the scientist not to risk going down with the submarine at the tests but to leave him do it. While the hero is down with the submarine, the villain, with the aid of soldiers from the mainland, arrest the scientist and the heroine. When the hero comes to the surface, the villain's men bombard the submarine and partly damage it, sending to the bottom out of commission. The hero and an aid come out of the submarine in diving suits and liberate the scientist and the heroine. The hero orders the heroine to hide while he was taking the scientist to the boat at the bottom of the sea. The heroine and one of her father's men steal away and enter submarine No. 2, but the villain, too, succeeded in entering with some of his men before she had a chance to close the hatch. When the villain attempts to capture her she destroys the mechanism that controlled the air pressure and they cannot rise to the surface. Both submarines continue sinking until they reach very deep waters. Then a strange sight strikes their eyes; they see strange creatures, the kind the scientist believed lived deep in the ocean. The heroine and her aid, in diving suits, exit and meet her father and the hero. The scientist fights the villain and his spear downs him. The sight of blood arouses wild instincts in the strange men, who attack the party. The hero succeeds in transferring the good mechanism that regulated the air pressure of the crippled boat to the good boat, and they rise to the surface. The scientist is dying. But before his death, he orders the submarine destroyed that his invention might not be used to destroy mankind. Hero and heroine marry.

The miniature and the double exposure work are done so well that they impress one with realism. The spectator is held in pretty tense suspense throughout.

Lucien Hubbard directed it. Lionel Barrymore is the scientist, Jane Daly the heroine, Lloyd Hughes the hero, and Montagu Love the villain. Harry Gribbon, Snitz Edwards, and others are in the cast. There is only one talking sequence, of 11 minutes duration. The remainder is silent, synchronized with music and sound effects.

Note: It is the same picture that was sold by M-G-M three years ago.

"The Girl from Woolworth's" First National, is a good picture. "Sally," First National, is a light pleasing picture in technicolor but nothing extraordinary. "Devil May Care" is disappointing. Reviews next week.

"The Broadway Hooper" (100% T-F&D)*(Columbia, Dec. 12; syn. time, 64 minutes)*

Fairly pleasing light entertainment. The interest is held fairly tight. There is nothing in it, however, that will make one remember it afterwards.

It is the story of a famous Broadway dancing star, who goes to the country for a rest. There she meets the hero, press-agent and leading man of "The Gay Girlies Burlesque" company. He had been advertising for extras, and when the heroine is shoved into the theatre by a curious crowd he yells at her and beckons her to go to him. He "engages" her. As she enjoys her new experience, the heroine does not disclose her identity but pretends that she is an extra and rehearses. The hero likes her dancing and hires her. In the meantime her manager searches high and low to find her. Her whereabouts eventually become known and her manager visits her and tries to induce her to go back. But she will not go back without the hero. Misunderstandings between her and the hero arise, but they are eventually cleared up, and they marry.

The plot has been founded on a story by Gladys Lehman, George Archainbaud directed it. Marie Saxon does fairly well in the leading part. Jack Egan is good as the hero. Louise Fazenda does excellent work, as she usually does, as the heroine's maid. The sound reproduction is good. (Silent length not yet determined. Silent values, fair.)

"A Song of Kentucky" (100% T-FD)—with Lois Moran*(Fox; Nov. 10; syn. time, 80 min.; sil. not yet determ.)*

An entertaining program picture. It is a romantic drama between a wealthy society girl and a tin-pan alley composer. The love story is interesting and there is suspense and thrills, particularly during the Kentucky Derby, which was photographed by the Fox Movietone News during that famous race. The ending, too, is quite dramatic. Miss Moran is a charming heroine and Joe Wagstaff is very good as the hero. He sings and talks with a pleasing voice.

The heroine's aunt invites the composer (hero) to her Long Island home to entertain at her party. He meets the heroine who saves him from being snubbed by the others, particularly her uncle and her would-be fiance (villain). They fall in love and are about to be married, when a gold-digger small-time actress, whom the hero had befriended a few years earlier, is paid by the villain to go to the heroine and tell her that she has had an affair with the hero and that she, the heroine, is separating them. The heroine believes the false story and leaves for Europe broken-hearted. The hero at first takes to drink but, aided by his manager, he comes back and writes a symphony based on the vicissitudes of his romance. In the meantime, the heroine returns. She grooms her horse for the great Kentucky Derby and makes a bet with the villain that if her horse wins, he will pay her \$25,000 and if the horse loses, she will marry him within three months. A sudden down-pour makes the track muddy and her horse, not being a mud-rummer, loses. The heroine prepares to wed the villain. She learns that the hero is to play his symphony and she slips away to hear him play. The villain follows her and tries to take her home. The gold-digger tries to blackmail the villain for more hush money which he refuses to give her. Angered, she rushes into the logé and tells the heroine the real facts, thus reuniting the hero and heroine.

Others in the cast who do good work are Dorothy Burgess, Hedda Hopper, Herman Bing, Edward Davis, Douglas Gilmore and Bert Woodruff. Lew Seiler directed it well from a story by F. H. Brennan. The theme song "A Night of Happiness" is quite tuneful. The sound is pretty good. (Silent values not as good as the sound as the symphony based on the hero's composition, is one of the high dramatic situations.)

"The Kibitzer" (100% T-F&D)

(Param., Jan. 11; syn. time, 79 min.; sil., 6,596 ft.)

A good comedy! There are plentiful laughs, although not so many in the beginning; they become numerous as the story keeps on unfolding. Most of the comedy episodes are nonsensical, but such as amuse one. The comedy is caused chiefly by the hero, who apparently had saved the life of a wealthy man, broker in Wall Street; he installs a ticker in his office and watches the quotations coming in; the wealthy man had bought a certain number of shares for the hero, in gratitude for having saved his life, and the two agree to sell only when the hero gives the word. The stock keeps on climbing and the hero figures out that he had made a handsome profit. But all at once it goes down to a point where his profits had vanished. He is hounded by some of his friends, who had invested some money on his advice, but his surprise is great when the wealthy man walks into his office and hands him a check for a large amount, informing him that it is his share of the profits, earned by the sale of the stock, sold at his (the hero's) order at the right time. The order to sell had been given by a friend of the hero at a time when every one was too excited to give it.

Harry Green, as the hero, and Mary Brian, heroine, as his daughter, do excellent work. Dave Newell, Lee Kohlmar, Albert Gran and others are in the cast. The plot has been founded on the stage play of the same name. Edward Sloman directed it well. The tone quality is fairly good. (Silent values, fairly good.)

"The Sky Hawk" (100% T-F&D)

(Fox; syn., Jan. 26; 75 min.; sil. not yet determ.)

A melodrama of airplanes and aviators, thrilling in the extreme. It is really a re-enactment of the bombardment of London during the World War by a Zeppelin. The happenings that thrill one is the attack on the dirigible by an aeroplane, manned by the hero, a cripple. He had crashed just before he was to sail for France, while flying back from the home of his fiancée, and he had been accused of having crashed purposely. Secretly he had taken one of the aeroplanes which had been manufactured by his father's company, but which had been rejected by the Government, and had conditioned it expecting to fly to France alone, to fight, so as to prove to his former fellow-officers that he was not a coward. When the Zeppelin raided London, there was no aeroplane at hand, all having been sent to France. The hero grasps the opportunity to vindicate himself. Alone, he gives battle to the Zeppelin and downs it. It is the knowledge of the spectator that the hero is not a coward that makes him follow his fate with great interest. He, that is, the spectator, veritably takes part in the battle, urging the hero to go on, and praying that he will come out victorious. The love affair between the hero and the heroine is sympathy arousing. The sight of the hero telling the heroine that he does not love her any longer even though he never ceased to love her, his thought being to discourage her from marrying a man that had been branded a coward is, indeed, touching in the extreme.

Llewellyn Hughes wrote the story; John Blystone directed it. Helen Chandler, as the heroine, and John Garrick, as the hero, do good acting. Gilbert Emery, Lennox Pawle, and others are in the cast. The quality of the sound is fair.

It should prove chiefly a picture for men and for children. (Silent values, excellent.)

"His First Command" (100% T-F)

(Pathe, Jan. 19; syn. time, 64 min.; sil. not determ.)

Excellent! It is the first picture, I believe, to be made with the U. S. Cavalry as the centre of interest. It was produced with the co-operation of the War Department and was photographed at Fort Riley, Kansas. Consequently the details are accurate. There is no villain in it and this is a sort of relief; no officer or even private is shown doing anything that is ungentlemanly. Even when the hero, a private, and his superior officer, have to fight, they fight like gentlemen; the officer takes off his coat, which naturally carried the insignia of his rank, so as to make things even, and they have it out with the hero. When they are brought before the commander of the Fort, each gives a reason for the fight other than the real reason—the heroine. Each takes his punishment like a man. The entire story is interesting and the principal characters win the spectator's good will.

The hero is presented as a millionaire father's spendthrift son, who, while in Kansas, chances to meet the heroine. He is so struck with her beauty that, when he learns that she is the daughter of the Commander of Fort Riley,

he enlists so as to be near her. The heroine, too, takes an interest in him but she is too proud to admit it; she first tried to fight off the thought of falling in love with a "fresh and unmanly" son of a wealthy father, but she eventually succumbs.

How the Fort Riley military authorities took the raw material and finally wrought it into a fine officer and a gentleman is told in an extremely interesting way. There are some scenes that stir one's emotions of sympathy deeply. There are short scenes in natural colors, but they are nothing to brag about when judged critically; the white is spotted with green-blue color, and the red predominates too much. The long shots are also indistinct. The quality of the sound is excellent. William Boyd, as the hero, and Dorothy Sebastian, as the heroine, do very good work. Jules Cowles, Rose Tapley, Mabel Van Buren, Paul Hurst, Howard Hickman, Alphonse Ethier, Helen Parrish and others are in the cast. (Silent values, excellent.)

"Lillies of the Field" (100% T-D)—with Corinne Griffith

(First Nat., Jan. 5; syn. time, 64 min.; sil. not determ.)

Deeply appealing. It is a mother love story, in which a mother is shown becoming separated from her child. She had been framed by her husband, who wanted a divorce from her, and at the trial she was made to appear as if she had committed an indiscretion. Her sufferings subsequently to her divorce are such that they wring the hearts of the spectators. She is shown as being offered a luxurious home by a wealthy young man if she would only consent to forget marriage but she rejects the proposal and continues rejecting it until starvation faces her; she then succumbs. She feels that the world had treated her cruelly and therefore she did not owe the world anything. In the midst of gayety she learns that her child had met with an accident and later that it had died. She becomes frantic; dressed in the best of finery as she happened to be, she rushes out of the house and roams the streets, not knowing where she was going. She is arrested by policemen, who thought that she was intoxicated. The judge, having found nothing other against her, only fines her. The young wealthy man, who had learned that she had been taken to jail, rushes there and pays her fine. Her condition moves him deeply and he takes her home. He offers to marry her. She is so tired bodily and mentally that she agrees to become his wife, so as to find protection.

The story is by William Hurlbert. Alexander Korda directed it well. Miss Griffith does very good work. Ralph Forbes is the wealthy young man. Freeman Wood, John Loder, Eve Southern, and others are in the cast. The sound reproduction is fair. (Silent values, very good.)

"In the Headlines" (100% T-D)—with Grant Withers

(War. Bros.; syn., Aug. 31; sil., Oct. 26; time, 70 min.)

An amusing comedy drama, centering around a wise-cracking, smart-aleck star newspaper reporter, whose ability to dig out news becomes temporarily side-tracked when he falls in love with the girl cub reporter (heroine). It is a fast-moving newspaper yarn, with thrills and suspense; it holds the spectator's interest throughout. And there are several capable performances. Grant Withers is very good as the hero reporter, getting scoops, solving murder mysteries and continually arguing with his editor. Marion Nixon is sweet as the cub reporter, who falls in love with the hero, and who eventually helps him solve the double murder mystery, getting herself kidnapped by the murderer and finally rescued by the hero. Edmund Breese is good as the fast-talking city editor who is always fighting with the hero but who is, nevertheless, fond of him. Clyde Cook furnishes most of the comedy as the newspaper photographer; he is as good as always. Pauline Garon, as the hero's half sister, the blonde pal of the real murderer, is fair, as is Robert Ober, as the secretary of the two murdered partners, and the blonde's lover.

Others in the cast are Frank Campeau, as the detective, Hallam Cooley, as the reporter on a rival newspaper, Vivian Oakland, as the fickle wife of one of the murdered men, and Spec O'Donnell, as the printer's devil.

John Adolfi directed it skilfully from the story by James Starr, scenario by Joseph Jackson. The talk is intelligible and the recording is pretty good. (Silent values as good as the sound. Silent footage 5,212 ft.)

subject, and Harwood could not even be located for an interview.

At the banquet it became apparent that the purpose in bringing Mr. Myers to Columbus was not to outline the aims and purposes of Allied but to put him in a spot with reference to the false issue of amalgamation of the two national exhibitor organizations. How well Allied has avoided this pitfall is told elsewhere in this issue.

The point is that William James did not keep his word and Jack Harwood bobbed up in New York as a delegate of M. P. T. O. A., which was relied on by Will H. Hays to combat the efforts of the Allied State leaders who are trying to protect the interests of the independent exhibitors. Ohio has no organization, and its leaders do not represent the sentiment of the few members of the rank and file that still belong to it.

Messrs. William James and Jack Harwood are fighting hard for two independent exhibitors—William James and Jack Harwood. But I doubt if they would do any fighting for anybody else. They have not time for that.

Some of these days the exhibitors of Ohio will wake up to realize what their present leaders are and will give them long leave of absence. Harrison's Reports only hopes that that day is not far off.

SECTION 4-A OF THE NEW YORK ARBITRATION ACT

According to the New York Law Journal of November 14, Section 4-a of the New York Arbitration Act has been declared unconstitutional by Judge J. Proskauer, of the Appellate Division of the Supreme Court of the State of New York, on the grounds that it violates the "due process of the law" clause of the Federal as well as the state constitutions.

Prior to the enactment of this amendment, a party to an arbitration agreement that denied that a contract was valid or that a particular dispute was subject to arbitration, could secure a judicial determination of it; but this Section of the New York Arbitration Act empowered the arbitrators to brush aside the objections of such party and render an award in his absence, leaving it up to him to take court action afterwards to have the award vacated. He could not be present to submit evidence or to defend himself, because his presence would be an acknowledgment on his part of the jurisdiction of the board and of the validity of the proceedings. He was thus compelled to forego the advantage of being present at the trial or of submitting evidence. "Under this statute," Judge Proskauer said in his opinion in the arbitration dispute between FINSILVER, STILL & MOSS, Inc., and GOLDBERG, MASS & CO., Inc., "a party who disputes the existence of a contract providing for arbitration must make an election at his peril. He may appear before the arbitrators and be heard, but if he does so he is finally estopped from questioning the jurisdiction of the arbitrators and from asserting that he never agreed to be bound by their determination. He may question their jurisdiction to make the award, but only if he foregoes the opportunity to present his side of the controversy to the arbitrators. . . ."

After giving a history of the case and expressing other opinions, Judge Proskauer says: "In the final analysis the order of a court enforcing by judgment the award of arbitrators is in the nature of the specific performance of a contract. The foundation of such judgment is two-fold. It rests first upon the existence of the contract, and second upon the determination of the arbitrators after a hearing on the merits pursuant to the terms of the contract. When both these conditions exist the court enforces the award. A party has a right both to a hearing before arbitrators and also to a judicial determination that he consented to arbitration. The order in which these rights are given him may be immaterial, but a statute which deprives him of one of these is a denial of due process. . . ."

* * *

Although Section 4-a was passed by the state legislature in the spring of 1927, becoming effective March 29 of the same year, its existence did not become known to the exhibitors generally until more than one year later. Fred Herrington, Secretary of M. P. T. O. of Western Pennsylvania made an inquiry of this office and I wrote to Albany and obtained a copy of that amendment.

"I must confess," I wrote in the issue of May 5, 1928, "that, like Mr. Erdmann and Mr. Herrington, I knew nothing of the existence of this amendment. I believe, in fact, that very few exhibitor-arbitrators, if any, knew that such an amendment to the Arbitration Act had been put through the Legislature of this State. . . . This leads

me to believe that the Hays organization, which no doubt sponsored it, did not want us to know anything about it. . . ."

"Use common reasoning and I am sure that you will come to the conclusion that Section 4-a of the New York State Arbitration Act is unconstitutional, because it gives the right to voluntary judges to 'convict' the absent party to an arbitration agreement before it had been determined whether the matter was arbitrable or not. You will come to the same conclusion also when you bear in mind that arbitration is placed higher than our civil, and even our criminal, laws. In a criminal as well as a civil action, the law requires that the defendant be served personally, in accordance with a certain procedure. In arbitration, no such service is necessary, thanks to this amendment. . . ."

The passing of this law is one of the many things the Hays organization did under cover with the purpose of ruling you ruthlessly, contrary to all rules of fair dealing. But there is always a day of reckoning. And it is now getting a proper reward for all its misdeeds.

SIDNEY KENT IS WRONG

Speaking before the Paramount managers assembled recently in New York on the occasion of the semi-annual sales meeting of the Paramount sales force, Sidney R. Kent, of Paramount Famous Players, stated that there is a "definite split" among the independent exhibitors, and that he tried to bring them together.

Sidney Kent is not the only person from the other side to say that there is a "split." Pettijohn made the same statement at Columbus. So have others.

Even if one were to stretch his imagination to the breaking point one could not say that the aloofness of Allied States from M. P. T. O. A. is a "split between the independent exhibitors." There has not been a split for the reason that there have not been two national independent exhibitor organizations. Allied States is the only independent exhibitor organization. M. P. T. O. A. is not such an organization, for its membership consists exclusively of organizations that are either controlled by the affiliated interests directly or are subsidized by them. In all cases, however, the members of these (the local) exhibitor organizations are opposed to the policies of their officers. These continue retaining the offices by the help of the distributors.

Let us take Kansas as a specific case: The president of M. P. T. O. of Kansas is Dick Biechele. Just now Dick has no theatre. In fact he has not had a theatre for more than a year. He has had his closed down a year ago and has not yet reopened it. And he does not expect to reopen it either. Dick is doing the hauling of films (he has his son do the physical work) from the exchanges to the quarters of the board of censors and back to the exchanges. For this he was paid seventy-five dollars a week one year ago. How much he is being paid now I don't know. (I would not have dwelt upon this fact had Mr. Biechele resigned as president of the exhibitor organization.) No independent exhibitors pay any dues to the treasury of Dick's M. P. T. O.; the money for its upkeep comes almost exclusively from the producers. For the last two elections Dick has succeeded in electing himself president by the aid of the exchangers, who packed the meetings. Dick himself told Will H. Hays in his memorable telegram to him that he would be willing to "ride along with Hays" at all times. Mr. Kent certainly cannot class M. P. T. O. of Kansas as an independent exhibitor organization. Such being the case how does he make out that there is a split between Allied States and the Kansas M. P. T. O.?

Let us take another state, Nebraska. Charley Williams was a Pathe salesman. When he was not a salesman for Pathe he was peddling some independent film. At any rate the exchanges help him make a living even though he has a theatre. Charley has always been friendly to the producers. At the Brookhart hearing he had two rooms at the Mayflower Hotel, in Washington, paying eight dollars a day for each of them. Charley declined to go to Washington because, as he said to Steffes, he had no money. And yet he went there. Now, how can Sidney Kent call the M. P. T. O. of Nebraska an independent exhibitor organization?

I could go on analyzing every state organization that is not allied with the only real national leader the independent exhibitors have ever had. But it is of no use.

In that speech, Mr. Kent condemned politicians. I am sure that the next time he makes a speech to his sales forces he will not condemn "politicians" for he would be condemning also himself.

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